

# **OSCEOLA COUNTY Board of County Commissioners**



## **Citizen's Advisory Committee & Board Member Handbook**

# **OSCEOLA COUNTY**

## **Board of County Commissioners Citizen's Advisory Committee Member Handbook**

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# **I. INTRODUCTION**

The Osceola Board of County Commissioners wants to encourage involvement by enabling and empowering certain boards and committees to play a defined role in County Government. The intent of the Board of County Commissioners in establishing these advisory boards and committees is to:

1. Assure a more equitable government by providing a broad representation of advisory board members
2. Improve policy decisions by considering many options
3. Provide for public input prior to policy decisions being made, thus reducing debate as alternatives are considered
4. Increase public confidence and support
5. Provide for a more informed citizenry.

The formation of citizen advisory boards completes a grouping of individuals that epitomize good government; the citizen that sees and feels the effects of policy decisions, the professional staff that deals with the realities of administering policy in a cost effective manner, and the elected officials that are, in fact, responsible for weighing all the advice and making decisions.

Each board is composed of appointed citizen members that reflect the composition of the County. Every board has a stated purpose that fits into the framework of County government that provides a link between the citizenry and the elected officials. A vision of the County's general policy direction, with a focus on the specific responsibility of an individual board, is necessary for an effective process.

When boards are successful, it is because the members and staff have a clear understanding of the board's purpose and a willingness to work together to achieve that purpose. This implies a desire for strong, positive relationships between the boards and staff members. Good relationships are built upon mutual respect, an understanding of each other's responsibilities and allowing each to perform assigned responsibilities. This is not to say that boards and staff, or even board members will always agree; the very nature of the board is to represent the diversity of public opinion. The overall intent is to provide a forum for discussion where each board member takes an active role in presenting his or her perspective. After public deliberations, the board may present findings and recommendations to the Board of County Commissioners.

The Board of County Commissioners, through the County staff, will provide each board with the following:

1. A clear purpose.
2. The statutory basis for the board (by what authority it was created, Federal, State or County ordinance).
3. The responsibilities of the board (what form of advice or decision is expected, how it is transmitted to the Board of County Commissioners, in what areas does the advisory board participate and what areas do they not participate).

4. Guidelines for executing responsibilities (time frame, deadlines, reports required).
5. Procedural requirements.
6. Information on staff support to the board.

In order for a board to be effective, certain parameters must be met. The board must provide an **effective decision making structure**. If your board sits in a purely advisory capacity wherein it only makes recommendations, the final decision on an issue rests with the Board of County Commissioners. However, if your board sits in a Quasi-Judicial capacity and the final decision on an issue is in your hands, you are representing the citizens of Osceola County and the Board of County Commissioners.

### **RESPONSIBILITIES OF BOARD MEMBERS:**

1. Complete and file financial disclosure form (if applicable).
2. Arrive on time to begin meetings as scheduled.
3. Attend meetings regularly.
4. Know and practice parliamentary procedure.
5. Review background materials before the meeting.
6. Extend courtesy to each other as well as the public.
7. Be open and responsive to, and objectively address any questions and concerns that arise during communications between members, staff, and public.
8. Vote on all motions (silence is an affirmative vote) unless a conflict of interest has been declared before a vote on the issue is cast.
9. Disclose conflicts of interest and file forms as applicable.
10. Speak openly and clearly during meetings.
11. Listen and respond to persons who appear.
12. Do not belabor a point.
13. Notify the designated person of anticipated absence from a meeting.
14. Familiarize yourself with Government in the Sunshine, Public Records, Gift and Ethics Laws.

### **STAFF RESPONSIBILITIES:**

1. Provide initial orientation and continuing education for board members.
2. Supply background information on agenda issues to board members sufficiently in advance of meetings.
3. If requested, clarify or make recommendations with rationale on agenda items.
4. Inform board members of Board of County Commissioners' action on recommendations and appeals.
5. Record attendance.
6. Take and distribute minutes of meetings.
7. Provide other support as necessary.

### **COMMITTEE APPOINTMENTS:**

This is the time County Commissioners appoint citizens to serve on county advisory boards and committees. While an application from a citizen is not a requirement before being appointed, it is recommended that County Commissioners ask the Public Information Office to reach out to a citizen beforehand. A Commissioner has the prerogative to appoint anyone they feel is qualified

to fill a particular vacancy on an advisory board or committee without an application being in hand at that time. Public participation in our government's decision-making process is a vital element of democracy. Citizens may choose to donate their time, knowledge and expertise to serve on these boards and committees. More information about volunteer citizen's advisory committees is found on the County's website at [www.osceola.org](http://www.osceola.org).

**II. OSCEOLA COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**CITIZEN BOARDS AND COMMITTEES**

Revision Date: March 1, 2010

1. AFFORDABLE HOUSING ADVISORY BOARD
2. BOARD OF ADJUSTMENT (*Quasi Judicial*)
3. CHARTER REVIEW ADVISORY COMMISSION
4. CITIZEN BUDGET ACADEMY
5. COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN'S ADVISORY COMMITTEE (*Housing*)
6. CODE ENFORCEMENT BOARD (*Quasi Judicial*)
7. ENTERPRISE ZONE DEVELOPMENT AGENCY
8. GATEWAY ADVISORY COMMITTEE
9. GATEWAY FINANCE COMMITTEE
10. FIRE AND RESCUE ADVISORY COMMISSION
11. HOUSING FINANCE AUTHORITY
12. INDUSTRIAL DEVELOPMENT AUTHORITY
13. LAND CONSERVATION ADVISORY BOARD
14. LIBRARY ADVISORY BOARD
15. PARKS & RECREATION COMMITTEE
16. PLANNING COMMISSION (*Advisory Board but Quasi Judicial on some issues*)
17. PUBLIC SAFETY COORDINATING COUNCIL
18. TOURIST DEVELOPMENT COUNCIL (TDC)
19. U.S. 192 RE-DEVELOPMENT DISTRICT ADVISORY BOARD

**LOCAL/REGIONAL BOARDS/COMMITTEES WITH COUNTY**  
**(CITIZEN) REPRESENTATION**

1. OSCEOLA COUNTY HERITAGE PRESERVATION ADVISORY BOARD
2. LOCAL HEALTH COUNCIL OF EAST CENTRAL FLORIDA
3. METROPLAN CITIZENS' ADVISORY BOARD (Subcommittee of Metroplan Board)
4. ORLANDO AVIATION AUTHORITY (Noise Abatement) *Osceola County recommends one (1) candidate for nomination by the Orange County BCC, who in turn requests the Aviation Authority to make the appointment.*
5. SCHOOL BOARD BUSINESS ADVISORY BOARD (Impact Fees)
6. TOHO WATER AUTHORITY
7. UNITED ARTS OF CENTRAL FLORIDA
8. WORKFORCE CENTRAL FLORIDA

### III. COUNTY PROFILE

#### Population\*\*

2000 .....	172,493
2008 .....	203,710
2010 .....	268,685

#### Race / Ethnicity

Caucasian .....	40.3%
Hispanic .....	45.5%
African American.....	9.1%
Asian .....	2.6%
Other .....	2.5%

#### Housing Profile (2010 projected)\*\*

Number of Households .....	100,722
Owner Occupied .....	69,920
Renter Occupied.....	30,802
Average Household Size.....	2.85
Average House Price (2007) .....	\$306,697

#### Geography & Environment

Total Area .....	1,506 square miles
<i>(Sixth largest Florida County)</i>	
Land Area .....	1,322 square miles
Mean Temperature .....	72.3
Annual Rainfall .....	60 + inches

\*\*The above information was obtained from <http://flhousingdata.shimberg.ufl.edu/a/profiles?action=results&nid=4900>

## MEET YOUR COUNTY COMMISSIONERS



*Chairman Brandon Arrington, District 3, Vice-Chairman John Quinones, District 2, Fred Hawkins, District 5, Mike Harford, District 1, Frank Attkisson, District 4*

### YOUR COUNTY MANAGER, COUNTY ATTORNEY, AND COMMISSION AUDITOR

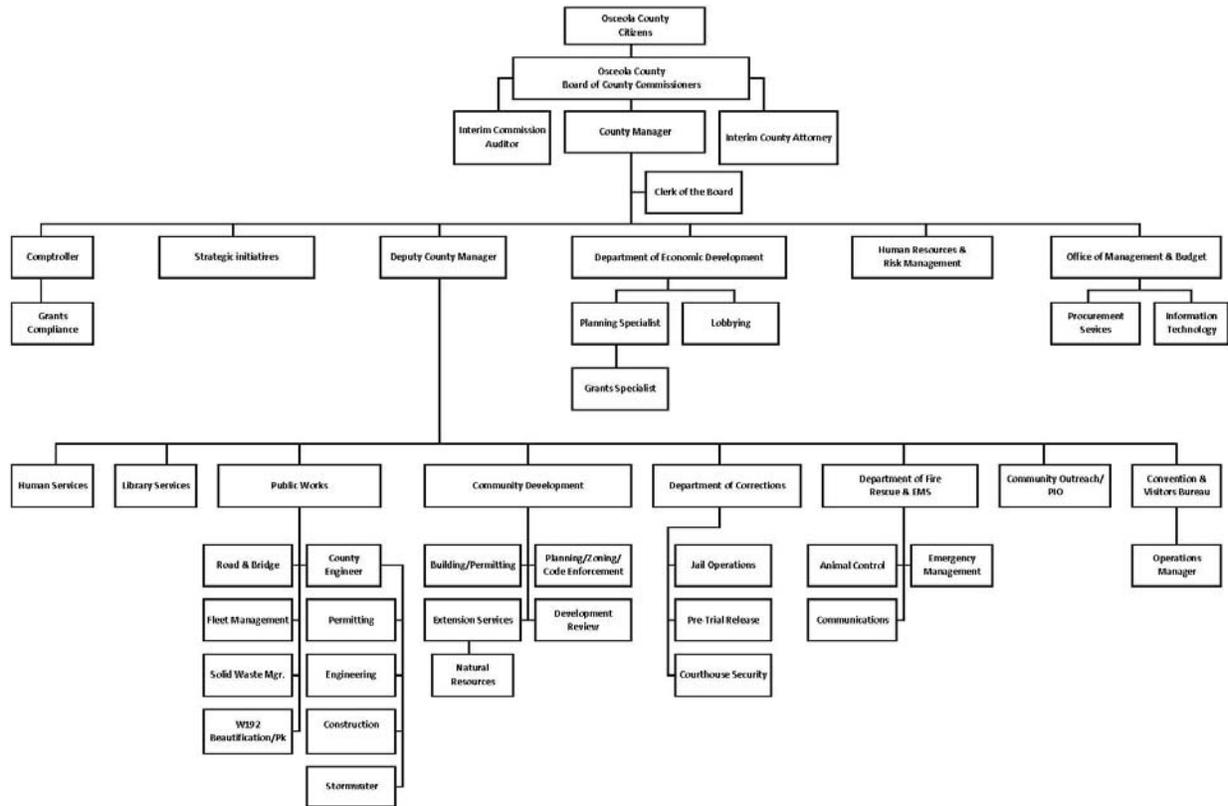
**The Office of the County Manager** was established by the Osceola County Home Rule Charter and reports directly to the Board of County Commissioners. The County Manager shall be the chief executive officer of the County and all executive responsibilities and power shall be assigned to and vested in the County Manager. The County Manager shall exercise all executive authority in addition to all other powers and duties authorized by general or special law.

**The Office of the County Attorney** was established by the Osceola County Home Rule Charter and the County Attorney reports directly to the Board of County Commissioners. The County Attorney provides legal counsel to the Board of County Commissioners, files and defends lawsuits on behalf of the County Commission, County departments, officers and employees, and assists in the preparation and implementation of all ordinances, codes and resolutions adopted by the Board.

**The Office of Commission Auditor** was established by the Osceola County Home Rule Charter and reports directly to the Board of County Commissioners. The purpose of the Office of Commission Auditor is to provide meaningful, independent and objective audit services and management support by examining and evaluating County operations, contractors and related agencies in order to safeguard County assets and promote maximum accountability, efficiency and effectiveness of services provided to taxpayers.

# OSCEOLA COUNTY GOVERNMENT

## Board of County Commissioners Organizational Chart



## **IV. GOVERNMENT IN THE SUNSHINE**

### **What is the Sunshine Law?**

Florida's Government in the Sunshine Law is found in Chapter 286 of the Florida Statutes, and is commonly referred to as the "Sunshine Law."

The Sunshine Law provides for a right of access for the public to governmental proceedings, and is equally applicable to elected and appointed boards. Under the law, there are three basic requirements:

1. Meetings of public boards or commissions must be open to the public;
2. Reasonable notice for such meetings must be given; and
3. Minutes of the meetings must be taken and maintained as public record.

### **Who is subject to the Sunshine Law?**

The answer to this question is: it depends.

Public committees/boards/commissions are formed for a variety of purposes. Membership is often diverse, and the function of the group is generally directed to a common goal. Some people believe that the application of the Sunshine Law is dependent upon the composition of membership, whether the members are appointed or elected, or is strictly based upon the proximity the appointed/elected body retains to the actual final decision making process. These notions are false.

When deciding if the Sunshine Law applies to a particular Committee/Board/Commission, the test lies in examining the function of the group itself. If the designated body serves in a pure fact finding capacity, the Sunshine Law does not apply. A fact-finding body delves only into gathering facts regarding the particular task or question placed before them. They do not submit opinions, and they do not make recommendations. Fact-finding groups serve strictly as an investigatory body. Once the committee/board/commission indulges in relaying recommendations to a decision making body, or they partake in a final decision making process, then their meetings become subject to the Sunshine Law. Once it is determined that a group is subject to the Sunshine Law, the next question is when does the law apply?

### **When does the Sunshine Law apply?**

The Sunshine Law is applicable to any gathering, whether formal or casual, of two or more members of the same committee/board/commission, to discuss matters on which foreseeable action may be taken by the body they are appointed/elected to. Telephone conversations between two or more members may also be subject to the Sunshine Law, depending upon the content of the conversation. This is also true of E-mail, computerized correspondence and text or instant messaging.

These provisions do not seek to provide an absolute bar to members who wish to attend social events or other committee/board/commission meetings. There are times when two or more members of the same appointed/elected body may attend the same function together without violation of the Sunshine Law. In such instances, the members concerned must refrain from partaking in any discussion on any matter which their committee/board/commission may take action upon. If one of the members decides to speak on such an issue at a time when other co-members are present, then the co-members are required to remove themselves from the gathering so as to prevent them from hearing or participating in the discussion. Failure to do so could result in violation of the Sunshine Law.

Please note that the Sunshine Law does not apply to a meeting between individuals who belong to different boards so long as one or more of the individuals has not been delegated authority to act on behalf of his respective board. For example, the Sunshine Law would not apply if a member of the Tourist Development Council were to meet with a member of the Board of Adjustments, so long as neither representative has the authority to act for their entire board.

### **Are Staff Members Covered by the Sunshine Law?**

The Florida Supreme Court has determined that while meetings of staff are not ordinarily subject to the Sunshine Law, there are circumstances where the law will apply. More specifically, when a staff member ceases to serve in a “staff capacity” and is appointed to a committee which is delegated authority to make recommendations to a board or official, then the staff member loses his/her identity as “staff” while working on the committee, and the Sunshine Law applies. Wood v. Marston, 442 So.2d 934 (Fla. 1983). This standard applies regardless of whether or not the recommendations made by the committee are binding. AGO 84-70. The Attorney General has further determined that the Sunshine Law applies to staff members who act as liaisons between board members, or staff members who act in place of board members at the board members’ direction. AGO 74-47.

### **What Kind of Notice is Required?**

The key is to provide notice that would be considered reasonable based upon the facts of the situation and the appointed/elected body that is involved. Sometimes posting of notice in a specified area of the affiliated public agency may prove sufficient, while other circumstances require publication in a local newspaper. The bottom line is that notice must be provided at such a time and in such a manner so as to afford the interested public a reasonable opportunity to participate in the proceeding.

While individual circumstances dictate what is and what is not proper notice, the Attorney General has offered the following guidelines:

1. Notice should contain the time and place of the meeting and, if available, an agenda or, at the very least, a summation of the subjects to be discussed;
2. Notice should be prominently displayed in a specified area of the affiliated agency;
3. Notice for special meetings should be posted at least 24 hours in advance, and notice for emergency meetings should be made in such a manner so as to afford the most appropriate and effective notice under the circumstances; and,

4. Press releases and phone calls to wire services are often considered highly effective forms of notification. Matters of local concern should be posted in local newspapers.

### **Where Should Meetings be Held?**

The main element in making this determination is “public access.” The rule of thumb is to be safe rather than sorry; therefore, all efforts must be made to secure meeting space in a public facility. The meeting space must be large enough to accommodate the size of the participants and those members of the public who are reasonably anticipated to attend. During the meeting, the conversations/comments of the appointed/elected body must be audible to those in attendance, and all required provisions must be made for handicap access.

“Luncheon meetings” are discouraged, and private facilities should only be used when all other avenues fail. There are many limitations on the use of private facilities for public meetings. If such a situation arises, please contact the County Attorney’s office for guidance.

### **What About Voting?**

Roll call at meetings governed by the Sunshine Law is not required; however, each member present must cast a vote, or state for the record as to why they are abstaining from such vote. Members must refrain from voting when they have a conflict of interest in the matter presented before them.

Voting conflicts law applies to both elected and appointed bodies, and is governed by Florida Statutes, section 112.3143. A conflict arises when a member in an official capacity is presented with a matter for voting that would insure a special private gain or loss to any of the following:

1. The member;
2. Any principal by whom the member is retained or to any parent organization or subsidiary thereof;
3. A relative to the member; or,
4. A business associate of the member.

For purposes of the voting conflict law, the definition of relative is limited to the following: father, mother, son, daughter, brother, sister, uncle, aunt, first-cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

If the member refrains from voting on a matter due to conflict, the member must fill out a notice of disclosure regarding the nature of the conflict, and file same with the particular individual responsible for recording the minutes of the meeting. (See attached Form 8B) Such notice shall be incorporated into the minutes of the meeting.

### **What is a Quasi-Judicial Proceeding?**

Quasi-Judicial is a term applied to proceedings of public bodies that are required to investigate facts, or ascertain the existence of facts, hold hearings, weigh evidence, and draw conclusions from them as a basis for their official action, and to exercise discretion of a judicial nature. The

decision of a quasi-judicial body is final and binding, and any appeals must be pursued through a court of law.

During a quasi-judicial proceeding, it is important for the members of the public body to understand that, in essence, a “case” is being presented for their consideration. In formulating their questions and decisions, the members should be fully aware of the standards required to provide for the relief or the action requested.

As the “case” is presented and matters are being weighed, members are responsible for making certain that the record adequately reflects the reasoning behind the decisions reached by the collective body. It is vitally important to remember that the record which is created at the proceeding is the main instrument utilized to defend the body’s action if the matter is appealed to a court of law.

### **What are Ex Parte Communications?**

Ex parte communications refer to those communications which take place between a member of the elected/appointed body and another individual or individuals outside the formalities of a quasi-judicial proceeding, regarding a matter presented to the body for determination. Such communications may consist of a telephone call, an e-mail, a letter or any other type of communication. Such communications should be given to the Recording Secretary and made a part of the record.

Regardless of their format, ex parte communications need to be revealed and stated for the record prior to final action by the public body on any matter subject of such communication. There is no requirement that the member who participated in such communication refrain from voting; however, the member is required to disclose the communication in such a manner so as to provide the party presenting the matter for decision with fair and open opportunity to rebut the contents of such communication if need be. The disclosure of the ex parte communication should include, at a minimum, facts concerning when the communication was made, with whom the communication was made, and how the communication occurred.

### **What Happens if there is a Violation of the Law?**

Violation of the Sunshine Law is a serious matter. Any member of an elected/appointed governmental body who knowingly violates the Sunshine Law is guilty of a second degree misdemeanor, punishable by law. Such punishment can include a 60 day term of imprisonment and/or a \$500.00 fine. There are also non-criminal punishments for Sunshine Law infractions, including removal from office.

The Sunshine Law Manual can be found online and downloaded at:  
<http://www.myflsunshine.com/sun.nsf/sunmanual>.

## **V. PUBLIC RECORDS**

Florida's Public Record Law is found in Chapter 119 of the Florida Statutes.

### **Who has records that are “public”?**

Just about any written document, letter, e-mail, message, or note received or made during a public agency's course of business is a public record. The term “agency” includes committees, boards, staff, and even the County Attorney.

### **What is a Public Record?**

The statutory definition is:

**119.011(12)** “ Public records” means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

### **What does that mean to you?**

As a committee member most of what you see and write will be a public record. This includes your agenda, letters sent to you, e-mails, messages about upcoming meetings, and almost any written document. It also includes pictures, films, sound, and just about anything done in connection with a government's business.

### **What records are “confidential”(exempt from disclosure)?**

There are numerous limited exemptions to the public records law. When there is a confidential bit of information (for instance an employee's social security number within a personnel file), that information should be blackened out before giving it to a member of the public. Certain government employees (law enforcement, corrections, HRS, Department of Revenue, and State Attorney) have added protection. Most of their personal information is confidential. Certain personal information is confidential for all of us, for instance medical records and social security numbers.

However, most of the documents produced and/or received by your committee will not fall under one of these exemptions. Much of the exempted material will not be encountered in the everyday life of a committee member for Osceola County. Certain information having to do with investigating crime, sealed bids, litigation documents, and ongoing investigations or complaints are not public information. Most of the exemptions will not affect committee life. If you have questions regarding exemptions to the public records law, you are encouraged to contact the Public Information Office.

### **Who has access to your records?**

Anyone requesting access can review your records. They do not have to put their request in writing, although you may want to ask them to do so if their request may be confusing or partially forgotten. Once requested, the records must be supplied within a “reasonable” period of time. What is reasonable? That depends on the type of request and the amount of time needed to get the request together. The best standard to take is - as quickly as possible.

Sometimes people will ask to inspect the records rather than getting copies. The Public Record Law allows this. You must set up a time to allow the person to see the records within a supervisor or custodian's presence. There is no charge for this inspection.

**What about charges for copying?**

Standard copy charge (one sided) is fifteen cents a page; two sided is twenty cents a page. Other charges are by the actual cost of copying, for instance maps or large copies. Occasionally an extensive use charge is applicable, but please look for guidance from the Public Information Office before assessing this.

**What if I cannot tell if it is a public record?**

If you're not sure please seek guidance. If your staff liaison does not know, please call the Public Information Office for assistance.

## VI. THE GIFT LAW

### 1. The Statutory Prohibition

Section 112.3148(4) , F.S., provides as follows:

A reporting individual . . . or any other person on his or her behalf is prohibited from knowingly accepting, directly or indirectly,<sup>2</sup> a gift from a political committee or committee of continuous existence, as defined in § 106.011, F.S., or from a lobbyist who lobbies the reporting individual's or procurement employee's agency, or directly or indirectly on behalf of the partner, firm, employer, or principal of a lobbyist, if he or she knows or reasonably believes that the gift has a value in excess of \$100; however, such a gift may be accepted by such person on behalf of a governmental entity or a charitable organization. If the gift is accepted on behalf of a governmental entity or charitable organization, the person receiving the gift shall not maintain custody of the gift for any period of time beyond that reasonably necessary to arrange for the transfer of custody and ownership of the gift.

### 2. The "Translation"

What does the above paragraph mean to you? Essentially, if you are a reporting individual, you cannot accept a gift, that:

- a) you know or should know has a value in excess of \$100,
- b) that is given to you from a "lobbyist", which is:
  - 1) any one who, for compensation, seeks or sought during the preceding 12 months, to influence the governmental decision making of you or the county, or
  - 2) any one who seeks or sought during the preceding 12 months, to encourage the passage, defeat or modification of any proposal or recommendation by you or the county.
- c) or that is given to you from a "political committee," as defined in §106.011.<sup>3</sup>

When in doubt as to whether the person offering you the gift is a "lobbyist", a good rule to follow is:

***\* DO NOT ACCEPT THE GIFT \****

<sup>2</sup>

On the issue of indirect gifts, Rule 34-13.310(6), Florida Administrative Code, provides: Where a gift is given to a person other than the reporting individual, and where the gift is given with the intent to benefit the reporting individual, such gift will be considered an indirect gift to the reporting individual.

<sup>3</sup>

Section 106.011, Florida Statutes, defines a "political committee" as 1) a combination of two or more individuals, or a person other than an individual, that, in an aggregate amount in excess of \$500 during a single calendar year: a) accepts contributions for the purpose of making contributions to any candidate, political committee, committee of continuous existence, or political party; b) accepts contributions for the purpose of expressly advocating the election or defeat of a candidate or the passage or defeat of an issue; c) makes expenditures that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue; or d) makes contributions to a common fund, other than a joint checking account between spouses, from which contributions are made to any candidate, political committee, committee of continuous existence, or political party; 2) the sponsor of a proposed constitutional amendment by initiative who intends to seek the signatures of registered electors.

### 3. What Is A "Gift"?

Section 112.312(12)(a), F.S., defines a gift as follows:

[T]hat which is accepted by a donee or by another on the donee's behalf, or that which is paid or given to another for or on behalf of a donee, directly, indirectly, or in trust for the donee's benefit or by any other means, for which equal or greater consideration is not given within 90 days, including:

- \* Real property.
- \* The use of real property.
- \* Tangible or intangible (e.g. money) personal property.
- \* The use of tangible or intangible personal property.
- \* A preferential rate or terms on a debt, loan, goods or services, which rate is below the customary rate and is not either a government rate available to all other similarly situated government employees or officials or a rate which is available to similarly situated members of the public by virtue of occupation, affiliation, age, religion, sex, or national origin.
- \* Forgiveness of indebtedness.
- \* Transportation, other than that provided to a public officer or employee by an agency in relation to officially approved governmental business, lodging, or parking.
- \* Food or beverages<sup>4</sup>
- \* Membership dues
- \* Entrance fees, admission fees, or tickets to events, performances, or facilities.
- \* Plants, flowers, or floral arrangements.
- \* Services provided by persons pursuant to a professional license or certificate.
- \* Other personal services for which a fee is normally charged by the person providing the services.
- \* Any other similar service or thing having an attributable value

### 4. What is a "Reporting Individual"?

Chances are, if you are reading this memo, you fall into one of these categories and are subject to the statute. But, if you would like to know the actual definition, read on:

Section 112.3148(2)(d), defines "reporting individual" as:

any individual, including a candidate upon qualifying, who is required by law, pursuant to § 8, Art. II of the State Constitution or § 112.3145, to file full or limited public disclosure of his or her financial interest . . .

<sup>4</sup>

Food and beverages consumed at a single sitting or meal is considered a single gift. If it is not consumed at a single sitting, but provided on the same calendar day, it is still a single gift (and you are considered to be a "grazer"). The value of food and beverage provided to several individuals may be attributed on a pro rata basis among each of the individuals. See Section 112.3148(7), Florida Statutes.

Section 112.3145 applies to "local officers", which are defined as:

1. Every person who is elected to office in any political subdivision of the state, and every person who is appointed to fill a vacancy for an unexpired term in such an elective office.
2. Any appointed member of any of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision of the state:
  - a. The governing body of the political subdivision, if appointed;
  - b. An expressway authority or transportation authority established by general law;
  - c. A community college or junior college district board of trustees;
  - d. A board having the power to enforce local code provisions;
  - e. A planning or zoning board, board of adjustment, board of appeals, or other board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and such other groups who only have the power to make recommendations to planning or zoning boards;
  - f. A pension board or retirement board having the power to invest pension or retirement funds or the power to make a binding determination of one's entitlement to or amount of a pension or other retirement benefit; or
  - g. Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
3. Any person holding one or more of the following positions: mayor, county or city manager; chief administrative employee of a county . . . county or municipal attorney . . . chief county or municipal building inspector . . . fire chief . . . purchasing agent having the authority to make any purchase exceeding the threshold amount provided for in § 287.017 for CATEGORY ONE, on behalf of any political subdivision of the state or any entity thereof.

## **5. The Reporting Requirement**

Every reporting individual, as defined above, must file a statement with the Commission on Ethics the last day of each calendar quarter, for the previous calendar quarter, containing a list of gifts which he or she believes to be in excess of \$100.00, for which compensation was not provided within 90 days of receipt of the gift to reduce the value to \$100 or less. The only exceptions to this rule are:

- a. Gifts from relatives (mother, father, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, fiancé or any other person having the same legal residence as the reporting individual or procurement employee), or
- b. Gifts that you have accepted in violation of law.

## **6. Summary**

- You may not accept gifts from lobbyists or a few “others” (“others” being the partner, firm, employer or principal of the lobbyist; or a political committee or committee of continuance existence as defined by section 106.011, Florida Statutes)
- You may not accept, directly or indirectly, gifts worth more than \$100 from lobbyists or the “others” listed directly above
- You must report gifts worth more than \$100 received from non-lobbyists
- You may accept gifts of any value from relatives and need not report them

## **7. Examples**

What does all this mean?

If you received a wedding gift or birthday gift (or a gift for any other type of occasion, including a gift just because you are “you”), and the gift is worth more than \$100.00 and is from someone other than a relative, and not a lobbyist, you get to keep it and enjoy it, but - **YOU MUST REPORT IT!**

To assist you with any specific situations you may find yourself in, here are summaries of a few of the opinions which have been issued by the Commission on Ethics regarding the acceptance of gifts.

### **CEO 89-50**

Section 112.3148(2)(a), Florida Statutes, requires that a city mayor disclose the restoration of his pickup truck provided as a birthday gift by friends, where the value of the restoration exceeds \$100. Although the mayor received only the restored truck and did not receive any of the over 100 donations which paid for its restoration, the statute requires the disclosure of persons who make contributions to the public officer or to any other person on his behalf. Therefore, the names and addresses of those persons who contributed more than \$100 should be disclosed. If the mayor does not know who provided more than \$100, it is suggested that he disclose the names of all known donors and explain that not all of the persons listed provided over \$100.

### **CEO 92-33**

City commissioners have received a gift, not a benefit of office, when the city gives them a block of tickets to performances at a municipally-owned theater, which tickets the city receives as a condition of its lease agreement with the producers. However, there is no indication that the tickets are indirect gifts from a lobbyist or from a partner, firm, employer, or principal of a lobbyist who lobbies the city commission, and there is no indication that the city contract manager is a lobbyist who lobbies the city commission for purposes of Section 112.3148, Florida Statutes. Thus, the members of the city commission may accept the sets of tickets, but where the combined face value of a set of tickets exceeds \$100, the commissioners must disclose them quarterly on CE Form 9.

### **CEO 93-27**

Subsection 112.3148(3), Florida Statutes, does not prohibit the employees of the Florida Sheriffs Association from soliciting money to pay for food and beverages, and other items, from lobbyists who lobby sheriffs and their departments for conferences held by the Florida Sheriffs Association.

Subsection 112.3148(3) only prohibits the solicitation of lobbyists by reporting individuals and procurement employees, and employees of the Florida Sheriffs Association are neither. Subsection 112.3148(4), Florida Statutes, would not prohibit sheriffs from accepting tokens of insignificant value from lobbyists displaying goods or services at exhibitions held during the conference; nor would sheriffs be prohibited from consuming food and beverages paid for, in part, by lobbyists. However, where a lobbyist has provided a door prize with a value in excess of \$100, that gift would be considered an indirect gift pursuant to Subsection 112.3148(4), Florida Statutes, and Rule 34-13.310(6), Florida Administrative Code, and a sheriff would be prohibited from accepting it. A sheriff could, however, accept a door prize on behalf of a governmental entity or charitable organization.

#### **CEO 96-21**

Although the complimentary use of vacation villas for 56 days during the relocation to the county from another state of the county's newly hired convention and visitors bureau executive director was valued at over \$100 (See Section 112.3148(7)(a), Florida Statutes), it was not given by a lobbyist or principal of a lobbyist of the Convention and Visitors Bureau, the Executive Director's agency. Therefore, under Section 112.3148(4), Florida Statutes, the gift was not prohibited. Furthermore, even if it were given by a lobbyist, Section 112.3148(4) also requires that the gift be "knowingly" accepted from a lobbyist. Under the circumstances presented, the executive director, not knowing about the company's proposal to the tourist development council, did not knowingly accept a gift valued at over \$100 from a lobbyist or principal of a lobbyist. Therefore, the gift would not have been prohibited.

If the value of the gifts exceeded \$100, the executive director was required to report them on his CE Form 9 on the last day of the calendar quarter following the quarter during which he received the gift.

#### **CEO 01-13**

A reporting individual has not received a "gift" for purposes of Section 112.3148, Florida Statutes, when a prospective employer invites him to interview for a position with the company and offers to pay and/or reimburse him for his travel expenses. Interviewing with a prospective employer is consideration for the receipt of those travel expenses and would not constitute a "gift." However, the reporting individual bears the responsibility for substantiating the receipt of reasonable expenses under this type of situation.

#### **CEO 04-11**

A \$150,000 home loan paid for by a private benefactor could be accepted by a school superintendent without violating Section 112.3148, Florida Statutes, as long as neither the benefactor nor any other contributor to the loan are lobbyists or the partners, firms, employers or principals of lobbyists who lobby the school district. The school superintendent would be required to disclose the receipt of the loan on his quarterly gift disclosure form - CE Form 9.

#### **CEO 04-12**

Pursuant to Section 112.3148(7)(h), Florida Statutes, and Rule 34-13.500(5), Florida Administrative Code, an invitation to play in a charitable golf tournament was an "event" that is valued based upon the cost an individual had to pay to play in the tournament. Thus, where the Executive Director of Department of Revenue was invited to play in a tournament by a company that has entered into contracts with the Department within the past 12 months, he received a gift

valued at \$225. Since the company which invited the Executive Director to play in the tournament does business with the Department and has entered into at least one contract with the Department within the preceding 12 months, the Executive Director received a prohibited gift unless, within 90 days of receipt, he pays down the value of the gift pursuant to Section 112.3148(7)(b), Florida Statutes, so that its value does not exceed \$100.

**CEO 06-27**

For purposes of Section 112.3148, Florida Statutes, a city official has received a "gift" when the city pays travel expenses for the official's spouse or other guest to accompany the city official on a city-sponsored trip. Although the definition of "gift" in Section 112.312(12), Florida Statutes, excludes transportation provided to a public officer by an agency in relation to officially approved governmental business, paying the travel expenses of the official's spouse or other guest would be an indirect gift to the city official and would be reportable by the City official on a CE Form 9—Quarterly Gift Disclosure.

**CEO 08-29**

Appearances by a city commissioner in public service announcements promoting an anti-littering campaign would constitute a "gift" under Section 112.3148, Florida Statutes. Whether a gift valued at over \$100 would be prohibited would depend on whether the donor was a principal of a lobbyist. A gift not prohibited but valued at over \$100 would be reportable by the commissioner.

**SECTION VII**  
**FORMS**

**OSCEOLA COUNTY BOARD OF COUNTY COMMISSIONERS  
CITIZEN ADVISORY BOARD APPLICATION  
(Please type or print)**

**NAME OF ADVISORY BOARD(S):** \_\_\_\_\_  
(Please list all boards to which you would like to be considered for appointment.)

**Please submit a completed application to:**  
Osceola County Board of County Commissioners  
Public Information Office  
1 Courthouse Square, Suite 4500  
Kissimmee, Florida 34741

Telephone: (407) 742-0100  
Facsimilie: (407) 742-0103

Name:				
Address:				
City:				
State:			Zip Code:	
Are your home address and telephone number(s) exempt from public records disclosure pursuant to section 119.071, Florida Statutes? If yes, please indicate the nature of your exemption (you are a current or former law enforcement officer, certified firefighter, prosecutor, judge, human resource director, etc.):				
<b>May we distribute this information to:</b>				
<u>BOCC Staff</u> <u>BOCC Members</u>				
Home Phone:	Yes	No	Yes	No
Office Phone:	Yes	No	Yes	No
Cell Phone:	Yes	No	Yes	No
Fax Number:	Yes	No	Yes	No
e-mail Address:	Yes	No	Yes	No
Occupation:				
Place of Employment:				
Education:				
Professional Organizations:				
Are you a resident of Osceola County? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, in which District do you reside? 1, 2, 3, 4, 5				
Do you reside in the City? Yes <input type="checkbox"/> No <input type="checkbox"/>				
Which City?				
In the past, have you served on an Advisory Board(s)? Yes                      No				
If yes, name of the Board(s):				

Are you currently serving on an Advisory Board(s) or on any other agency board (such as for KUA, Toho Water Authority, City of Kissimmee, City of St. Cloud, etc.)? Yes  No

If yes, Name of Board(s): \_\_\_\_\_

Do you have any potential conflicts of interest in regards to the appointment you are seeking of which the Board of County Commissioners needs to be made aware? Yes No (If yes, please describe.)

Please list two professional references who reside in Osceola County:

Name \_\_\_\_\_ Phone Number \_\_\_\_\_

Name \_\_\_\_\_ Phone Number \_\_\_\_\_

What qualifications do you have which will be a benefit if you were appointed to this Board? Please attach a resume or letter and any additional information you consider pertinent. **(Resume Required)**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Section 760.80, Florida Statutes, encourages a balance of minority and non-minority appointments to certain Boards, Commissions, Councils, and Committees. To assist us with the reporting requirements of this statute, we respectfully request that you provide the following information. *(Disclosure of this information is optional.)*

Gender: M  F  Physically Disabled: Yes  No

American Indian  Hispanic

Asian  White

Black  Other

**I hereby certify that all statements made by me on this application are correct to the best of my knowledge and recollection. Permission is hereby granted to solicit and investigate statements from any person or organization with regard to my personal history and prior employment. In addition, my signature below authorizes Osceola County to conduct a background check as it deems necessary. I understand that inclusion of any false information may be cause for disqualification. I further understand that the Osceola County Board of County Commissioners retains sole authority to issue such disqualification.**

If the Board appoints you to an Advisory Board, your name and residence will be part of the resolution.

Name: \_\_\_\_\_  
(Print your name, as you want it to appear on the resolution)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please refer to our website for a list of Boards and their duties: <http://www.osceola.org/index.cfm?lsFuses=department/BCC/BCCBoards>

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY <span style="float: right;">COUNTY</span>	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED	NAME OF POLITICAL SUBDIVISION:
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

### APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

### DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, \_\_\_\_\_, hereby disclose that on \_\_\_\_\_, 20 \_\_\_\_:

(a) A measure came or will come before my agency which (check one)

\_\_\_ inured to my special private gain or loss;

\_\_\_ inured to the special gain or loss of my business associate, \_\_\_\_\_;

\_\_\_ inured to the special gain or loss of my relative, \_\_\_\_\_;

\_\_\_ inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or

\_\_\_ inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

\_\_\_\_\_  
Date Filed

\_\_\_\_\_  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

**FORM 1**  
**STATEMENT OF FINANCIAL INTEREST**

**This Statement of Financial Interest only needs to be filled out by  
members of the following boards:**

**Board of Adjustment  
Code Enforcement  
Planning Commission**

**FINANCIAL INTERESTS**

Please print or type your name, mailing address, agency name, and position below:

LAST NAME -- FIRST NAME -- MIDDLE NAME :

MAILING ADDRESS :

CITY : ZIP : COUNTY :

NAME OF AGENCY :

NAME OF OFFICE OR POSITION HELD OR SOUGHT :

You are not limited to the space on the lines on this form. Attach additional sheets, if necessary.

CHECK ONLY IF  CANDIDATE OR  NEW EMPLOYEE OR APPOINTEE

FOR OFFICE USE ONLY:

ID Code

ID No.

Conf. Code

P. Req. Code

**\*\*BOTH PARTS OF THIS SECTION MUST BE COMPLETED\*\***

**DISCLOSURE PERIOD:**

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR THE PRECEDING TAX YEAR, WHETHER BASED ON A CALENDAR YEAR OR ON A FISCAL YEAR. PLEASE STATE BELOW WHETHER THIS STATEMENT IS FOR THE PRECEDING TAX YEAR ENDING EITHER (must check one):

DECEMBER 31, 2010 OR  SPECIFY TAX YEAR IF OTHER THAN THE CALENDAR YEAR: \_\_\_\_\_

**MANNER OF CALCULATING REPORTABLE INTERESTS:**

THE LEGISLATURE ALLOWS FILERS THE OPTION OF USING REPORTING THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES FEWER CALCULATIONS, OR USING COMPARATIVE THRESHOLDS, WHICH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for further details). PLEASE STATE BELOW WHETHER THIS STATEMENT REFLECTS EITHER (must check one):

COMPARATIVE (PERCENTAGE) THRESHOLDS OR  DOLLAR VALUE THRESHOLDS

**PART A -- PRIMARY SOURCES OF INCOME** [Major sources of income to the reporting person]  
(If you have nothing to report, you must write "none" or "n/a")

NAME OF SOURCE OF INCOME	SOURCE'S ADDRESS	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY

**PART B -- SECONDARY SOURCES OF INCOME** [Major customers, clients, and other sources of income to businesses owned by the reporting person]  
(If you have nothing to report, you must write "none" or "n/a")

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

**PART C -- REAL PROPERTY** [Land, buildings owned by the reporting person]  
(If you have nothing to report, you must write "none" or "n/a")


**FILING INSTRUCTIONS** for when and where to file this form are located at the bottom of page 2.

**INSTRUCTIONS** on who must file this form and how to fill it out begin on page 3.

**OTHER FORMS** you may need to file are described on page 6.

**PART D — INTANGIBLE PERSONAL PROPERTY** [Stocks, bonds, certificates of deposit, etc.]  
(If you have nothing to report, you must write "none" or "n/a")

TYPE OF INTANGIBLE	BUSINESS ENTITY TO WHICH THE PROPERTY RELATES

**PART E — LIABILITIES** [Major debts]  
(If you have nothing to report, you must write "none" or "n/a")

NAME OF CREDITOR	ADDRESS OF CREDITOR

**PART F — INTERESTS IN SPECIFIED BUSINESSES** [Ownership or positions in certain types of businesses]  
(If you have nothing to report, you must write "none" or "n/a")

	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2	BUSINESS ENTITY # 3
NAME OF BUSINESS ENTITY			
ADDRESS OF BUSINESS ENTITY			
PRINCIPAL BUSINESS ACTIVITY			
POSITION HELD WITH ENTITY			
DO I OWN MORE THAN A 5% INTEREST IN THE BUSINESS			
NATURE OF MY OWNERSHIP INTEREST			

**IF ANY OF PARTS A THROUGH F ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE**

**SIGNATURE** (required):

**DATE SIGNED** (required):

**FILING INSTRUCTIONS:**

**WHAT TO FILE:**

After completing all parts of this form, including signing and dating it, send back only the first sheet (pages 1 and 2) for filing.

If you have nothing to report in a particular section, you must write "none" or "n/a" in that section(s).

Facsimiles will not be accepted.

**NOTE:**

**MULTIPLE FILING UNNECESSARY:**

Generally, a person who has filed Form 1 for a calendar or fiscal year is not required to file a second Form 1 for the same year. However, a candidate who previously filed Form 1 because of another public position must at least file a copy of his or her original Form 1 when qualifying.

**WHERE TO FILE:**

If you were mailed the form by the Commission on Ethics or a County Supervisor of Elections for your annual disclosure filing, return the form to that location.

**Local officers/employees** file with the Supervisor of Elections of the county in which they permanently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county where your agency has its headquarters.)

**State officers or specified state employees** file with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 3600 Maclay Boulevard, South, Suite 201, Tallahassee, FL 32312.

**Candidates** file this form together with their qualifying papers.

To determine what category your position falls under, see the "Who Must File" Instructions on page 3.

**WHEN TO FILE:**

**Initially**, each local officer/employee, state officer, and specified state employee must file **within 30 days** of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment.

**Candidates** for publicly-elected local office must file at the same time they file their qualifying papers.

**Thereafter**, local officers/employees, state officers, and specified state employees are required to file by July 1st following each calendar year in which they hold their positions.

**Finally**, at the end of office or employment, each local officer/employee, state officer, and specified state employee is required to file a final disclosure form (Form 1F) within 60 days of leaving office or employment.

# INSTRUCTIONS FOR COMPLETING FORM 1 STATEMENT OF FINANCIAL INTERESTS

## WHO MUST FILE FORM 1:

All persons who fall within the categories of "state officers," "local officers/employees," "specified state employees," as well as candidates for elective local office, are required to file Form 1. Positions within these categories are listed below. Persons required to file full financial disclosure (Form 6) and officers of the judicial branch do not file Form 1 (see Form 6 for a list of persons who must file that form).

**STATE OFFICERS** include the following positions for state officials:

1) Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.

2) Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding members of sole advisory bodies; but including judicial nominating commission members; Directors of the Florida Black Business Investment Board, Enterprise Florida, Scripps Florida Funding Corporation, Workforce Florida, and Space Florida; Members of the Florida Commission on Tourism, Florida Substance Abuse and Mental Health Corporation, and the Council on the Social Status of Black Men and Boys; and Governors and senior managers of Citizens Property Insurance Corporation and Florida Workers' Compensation Joint Underwriting Association.

3) The Commissioner of Education, members of the State Board of Education, the Board of Governors, and the local Boards of Trustees and Presidents of state universities.

**LOCAL OFFICERS/EMPLOYEES** include the following positions for officers and employees of local government:

1) Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.

2) Appointed members of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; a community college or junior college district board of trustees; a board having the power to enforce local code provisions; a board of adjustment; a planning or zoning board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards; a pension board or retirement board empowered to invest pension or retirement funds or to determine entitlement to or amount of a pension or other retirement benefit.

3) Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.

4) Persons holding any of these positions in local government: Mayor; county or city manager; chief administrative employee of a county, municipal-

ity, or other political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$20,000 for the local governmental unit.

5) Officers and employees of entities serving as chief administrative officer of a political subdivision.

**SPECIFIED STATE EMPLOYEES** include the following positions for state employees:

1) Employees in the office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.

2) The following positions in each state department, commission, board, or council: Secretary, Assistant or Deputy Secretary, Executive Director, Assistant or Deputy Executive Director, and anyone having the power normally conferred upon such persons, regardless of title.

3) The following positions in each state department or division: Director, Assistant or Deputy Director, Bureau Chief, Assistant Bureau Chief, and any person having the power normally conferred upon such persons, regardless of title.

4) Assistant State Attorneys, Assistant Public Defenders, Public Counsel, full-time state employees serving as counsel or assistant counsel to a state agency, administrative law judges, and hearing officers.

5) The Superintendent or Director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.

6) State agency Business Managers, Finance and Accounting Directors, Personnel Officers, Grant Coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$20,000.

7) The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.

## INSTRUCTIONS FOR COMPLETING FORM 1:

### INTRODUCTORY INFORMATION (At Top of Form):

If your name, mailing address, public agency, and position are already printed on the form, you do not need to provide this information unless it should be changed. To change any of this information, write the correct information on the form, then contact your agency's financial disclosure coordinator. Your coordinator is identified in the financial disclosure portal on the Commission on Ethics website: [www.ethics.state.fl.us](http://www.ethics.state.fl.us).

**NAME OF AGENCY:** This should be the name of the governmental unit which you serve or served, by which you are or were employed, or for which you are a candidate. For example, "City of Tallahassee," "Leon County," or "Department of Transportation."

**OFFICE OR POSITION HELD OR SOUGHT:** Use the title of the office or position you hold, are seeking, or held during the disclosure period (in some cases you may not hold that position now, but you still would be required to file to disclose your interests during the last year you held that position). For example, "City Council Member," "County Administrator," "Purchasing Agent," or "Bureau Chief." If you are a candidate for office or are a new employee or appointee, check the appropriate box.

**MAILING ADDRESS:** If your home address appears on the form but you prefer another address be shown, change the address as described above. If you are an active or former officer or employee listed in Section 119.071(4)(d), F.S., whose home address is exempt from disclosure, the Commission is required to maintain the confidentiality of your home

address **if you submit a written request for confidentiality.** Persons listed in Section 119.071(4)(d), F.S., are encouraged to provide an address other than their home address.

**DISCLOSURE PERIOD:** The tax year for most individuals is the calendar year (January 1 through December 31). If that is the case for you, then your financial interests should be reported for the calendar year 2009; just check the box and you do not need to add any information in this part of the form. However, if you file your IRS tax return based on a tax year that is not the calendar year, you should specify the dates of your tax year in this portion of the form and check the appropriate box. This is the time frame or "disclosure period" for your report.

**MANNER OF CALCULATING REPORTABLE INTERESTS:** As noted in this portion of the form, the Legislature has given filers the option of reporting based on either thresholds that are comparative (usually, based on percentage values) or thresholds that are based on absolute dollar values. The instructions on the following pages specifically describe the different thresholds. Simply check the box that reflects the choice you have made. You must use the type of threshold you have chosen for each part of the form. In other words, if you choose to report based on absolute dollar value thresholds, you cannot use a percentage threshold on any part of the form.

(CONTINUED on page 4) 

## PART A — PRIMARY SOURCES OF INCOME

[Required by Sec. 112.3145(3)(a)1 or (b)1, Fla. Stat.]

Part A is intended to require the disclosure of your principal sources of income during the disclosure period. You do not have to disclose the amount of income received. The sources should be listed in descending order, with the largest source first. Please list in this part of the form the name, address, and principal business activity of each source of your income which (depending on whether you have chosen to report based on percentage thresholds or on dollar value thresholds) either:

exceeded five percent (5%) of the gross income received by you in your own name or by any other person for your benefit or use during the disclosure period, or

exceeded \$2,500.00 (of gross income received during the disclosure period by you in your own name or by any other person for your use or benefit).

You need not list your public salary received from serving in the position(s) which requires you to file this form, but this amount should be included when calculating your gross income for the disclosure period. The income of your spouse need not be disclosed. However, if there is joint income to you and your spouse from property held by the entireties (such as interest or dividends from a bank account or stocks held by the entireties), you should include all of that income when calculating your gross income and disclose the source of that income if it exceeded the threshold.

"Gross income" means the same as it does for income tax purposes, including all income from whatever source derived, such as compensation for services, gross income from business, gains from property dealings, interest, rents, dividends, pensions, social security, distributive share of partnership gross income, and alimony, but not child support.

Examples:

— If you were employed by a company that manufactures computers and received more than 5% of your gross income (salary, commissions, etc.) from the company (or, alternatively, \$2,500), then you should list the name of the company, its address, and its principal business activity (computer manufacturing).

— If you were a partner in a law firm and your distributive share of partnership gross income exceeded 5% of your gross income (or, alternatively, \$2,500), then you should list the name of the firm, its address, and its principal business activity (practice of law).

— If you were the sole proprietor of a retail gift business and your gross income from the business exceeded 5% of your total gross income (or, alternatively, \$2,500), then you should list the name of the business, its address, and its principal business activity (retail gift sales).

— If you received income from investments in stocks and bonds, you are required to list only each individual company from which you derived more than 5% of your gross income (or, alternatively, \$2,500), rather than aggregating all of your investment income.

— If more than 5% of your gross income (or, alternatively, \$2,500) was gain from the sale of property (not just the selling price), then you should list as a source of income the name of the purchaser, the purchaser's address, and the purchaser's principal business activity. If the purchaser's identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income should be listed simply as "sale of (name of company) stock," for example.

— If more than 5% of your gross income (or, alternatively, \$2,500) was in the form of interest from one particular financial institution (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and its principal business activity.

## PART B — SECONDARY SOURCES OF INCOME

[Required by Sec. 112.3145(3)(a)2 or (b)2, Fla. Stat.]

This part is intended to require the disclosure of major customers, clients, and other sources of income to businesses in which you own an interest. You will **not** have anything to report **unless**:

(a) If you are reporting based on percentage thresholds:

(1) You owned (either directly or indirectly in the form of an equitable or beneficial interest) during the disclosure period more than five percent (5%) of the total assets or capital stock of a business entity (a corporation, partnership, limited partnership, proprietorship, joint venture, trust, firm, etc., doing business in Florida); **and**

(2) You received more than ten percent (10%) of your gross income during the disclosure period from that business entity; **and**

(3) You received more than \$1,500 in gross income from that business entity during the period.

(b) If you are reporting based on dollar value thresholds:

(1) You owned (either directly or indirectly in the form of an equitable or beneficial interest) during the disclosure period more than five percent (5%) of the total assets or capital stock of a business entity (a corporation, partnership, limited partnership, proprietorship, joint venture, trust, firm, etc., doing business in Florida); **and**

(2) You received more than \$5,000 of your gross income during the disclosure period from that business entity.

If your interests and gross income exceeded the appropriate thresholds listed above, then for that business entity you must list every source of income to the business entity which exceeded ten percent (10%) of the business entity's gross income (computed on the basis of the business entity's most recently completed fiscal year), the source's address, and the source's principal business activity.

Examples:

— You are the sole proprietor of a dry cleaning business, from which you received more than 10% of your gross income (an amount that was more than \$1,500) (or, alternatively, more than \$5,000, if you are using dollar value thresholds). If only one customer, a uniform rental company, provided more than 10% of your dry cleaning business, you must list the name of the uniform rental company, its address, and its principal business activity (uniform rentals).

— You are a 20% partner in a partnership that owns a shopping mall and your partnership income exceeded the thresholds listed above. You should list each tenant of the mall that provided more than 10% of the partnership's gross income, the tenant's address and principal business activity.

— You own an orange grove and sell all your oranges to one marketing cooperative. You should list the cooperative, its address, and its principal business activity if your income met the thresholds.

## PART C — REAL PROPERTY

[Required by Sec. 112.3145(3)(a)3 or (b)3, Fla. Stat.]

In this part, please list the location or description of all real property (land and buildings) in Florida in which you owned directly or indirectly at any time during the previous tax year in excess of five percent (5%) of the property's value. This threshold is the same, whether you are using percentage thresholds or dollar thresholds. You are not required to list your residences and vacation homes; nor are you required to state the value of the property on the form.

Indirect ownership includes situations where you are a beneficiary of a trust that owns the property, as well as situations where you are more than a 5% partner in a partnership or stockholder in a corporation that owns the property. The value of the property may be determined by the most recently assessed value for tax purposes, in the absence of a more current appraisal.

The location or description of the property should be sufficient to enable anyone who looks at the form to identify the property. Although a legal description of the property will do, such a lengthy description is not required. Using simpler descriptions, such as "duplex, 115 Terrace Avenue, Tallahassee" or 40 acres located at the intersection of Hwy. 60 and I-95, Lake County" is sufficient. In some cases, the property tax identification number of the property will help in identifying it: "120 acre ranch on Hwy. 902, Hendry County, Tax ID # 131-45863."

(CONTINUED on page 5) 

Examples:

— You own 1/3 of a partnership or small corporation that owns both a vacant lot and a 12% interest in an office building. You should disclose the lot, but are not required to disclose the office building (because your 1/3 of the 12% interest—which equals 4%—does not exceed the 5% threshold).

— If you are a beneficiary of a trust that owns real property and your interest depends on the duration of an individual's life, the value of your interest should be determined by applying the appropriate actuarial table to the value of the property itself, regardless of the actual yield of the property.

## PART D — INTANGIBLE PERSONAL PROPERTY

[Required by Sec. 112.3145(3)(a)3 or (b)3, Fla. Stat.]

Provide a general description of any intangible personal property that, at any time during the disclosure period, was worth more than:

(1) ten percent (10%) of your total assets (if you are using percentage thresholds), or

(2) \$10,000 (if you are using dollar value thresholds),

and state the business entity to which the property related. Intangible personal property includes such things as money, stocks, bonds, certificates of deposit, interests in partnerships, beneficial interests in a trust, promissory notes owed to you, accounts receivable by you, IRAs, and bank accounts. Such things as automobiles, houses, jewelry, and paintings are not intangible property. Intangibles relating to the same business entity should be aggregated; for example, two certificates of deposit and a savings account with the same bank. Where property is owned by husband and wife as tenants by the entirety (which usually will be the case), the property should be valued at 100%.

**Calculations:** In order to decide whether the intangible property exceeds 10% of your total assets, you will need to total the value of all of your assets (including real property, intangible property, and tangible personal property such as automobiles, jewelry, furniture, etc.). When making this calculation, do not subtract any liabilities (debts) that may relate to the property—add only the fair market value of the property. Multiply the total figure by 10% to arrive at the disclosure threshold. List only the intangibles that exceed this threshold amount. Jointly owned property should be valued according to the percentage of your joint ownership, with the exception of property owned by husband and wife as tenants by the entirety, which should be valued at 100%. None of your calculations or the value of the property have to be disclosed on the form. If you are using dollar value thresholds, you do not need to make any of these calculations.

Examples for persons using comparative (percentage) thresholds:

— You own 50% of the stock of a small corporation that is worth \$100,000, according to generally accepted methods of valuing small businesses. The estimated fair market value of your home and other property (bank accounts, automobile, furniture, etc.) is \$200,000. As your total assets are worth \$250,000, you must disclose intangibles worth over \$25,000. Since the value of the stock exceeds this threshold, you should list "stock" and the name of the corporation. If your accounts with a particular bank exceed \$25,000, you should list "bank accounts" and bank's name.

— When you retired, your professional firm bought out your partnership interest by giving you a promissory note, the present value of which is \$100,000. You also have a certificate of deposit from a bank worth \$75,000 and an investment portfolio worth \$300,000, consisting of \$100,000 of IBM bonds and a variety of other investments worth between \$5,000 and \$50,000 each. The fair market value of your remaining assets (condominium, automobile, and other personal property) is \$225,000. Since your total assets are worth \$700,000, you must list each intangible worth more than \$70,000. Therefore, you would list "promissory note" and the name of your former partnership, "certificate of deposit" and the name of the bank, "bonds" and "IBM," but none of the rest of your investments.

## PART E — LIABILITIES

[Required by Sec. 112.3145(3)(a)4 or (b)4, Fla. Stat.]

In this part of the form, list the name and address of each private or governmental creditor to whom you were indebted for a liability in any amount that, at any time during the disclosure period, exceeded:

(1) your net worth (if you are using percentage thresholds), or

(2) \$10,000 (if you are using dollar value thresholds).

You are not required to list the amount of any indebtedness or your net worth. You do not have to disclose any of the following: credit card and retail installment accounts, taxes owed (unless reduced to a judgment), indebtedness on a life insurance policy owed to the company of issuance, contingent liabilities, and accrued income taxes on net unrealized appreciation (an accounting concept). A "contingent liability" is one that will become an actual liability only when one or more future events occur or fail to occur, such as where you are liable only as a guarantor, surety, or endorser on a promissory note. If you are a "co-maker" and have signed as being jointly liable or jointly and severally liable, then this is not a contingent liability; if you are using the \$10,000 threshold and the total amount of the debt (not just the percentage of your liability) exceeds \$10,000, such debts should be reported.

**Calculations for persons using comparative (percentage) thresholds:** In order to decide whether the debt exceeds your net worth, you will need to total all of your liabilities (including promissory notes, mortgages, credit card debts, lines of credit, judgments against you, etc.). Subtract this amount from the value of all your assets as calculated above for Part D. This is your "net worth." You must list on the form each creditor to whom your debt exceeded this amount unless it is one of the types of indebtedness listed in the paragraph above (credit card and retail installment accounts, etc.). Joint liabilities with others for which you are "jointly and severally liable," meaning that you may be liable for either your part or the whole of the obligation, should be included in your calculations based upon your percentage of liability, with the following exception: joint and several liability with your spouse for a debt which relates to property owned by both of you as "tenants by the entirety" (usually the case) should be included in your calculations by valuing the asset at 100% of its value and the liability at 100% of the amount owed.

Examples for persons using comparative (percentage) thresholds:

— You owe \$15,000 to a bank for student loans, \$5,000 for credit card debts, and \$60,000 (with your spouse) to a savings and loan for a home mortgage. Your home (owned by you and your spouse) is worth \$80,000 and your other property is worth \$20,000. Since your net worth is \$20,000 (\$100,000 minus \$80,000), you must report only the name and address of the savings and loan.

— You and your 50% business partner have a \$100,000 business loan from a bank, for which you both are jointly and severally liable. The value of the business, taking into account the loan as a liability of the business, is \$50,000. Your other assets are worth \$25,000, and you owe \$5,000 on a credit card. Your total assets will be \$50,000 (half of a business worth \$50,000 plus \$25,000 of other assets). Your liabilities, for purposes of calculating your net worth, will be only \$5,000, because the full amount of the business loan already was included in valuing the business. Therefore, your net worth is \$45,000. Since your 50% share of the \$100,000 business loan exceeds this net worth figure, you must list the bank.

## PART F — INTERESTS IN SPECIFIED BUSINESSES

[Required by Sec. 112.3145(5), Fla. Stat.]

The types of businesses covered in this disclosure are **only**: state and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies (including insurance agencies); mortgage companies; credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies, utility companies, entities controlled by the Public Service Commission; and entities granted a franchise to operate by either a city or a county government.

(CONTINUED on page 6) 

You are required to disclose in this part of the form the fact that you owned during the disclosure period an interest in, or held any of certain positions with, particular types of businesses listed above. You are required to make this disclosure if you own or owned (either directly or indirectly in the form of an equitable or beneficial interest) at any time during the disclosure period more than five percent (5%) of the total assets or capital stock of one of the types of business entities granted a privilege to operate in Florida that are listed above. You also must complete this part of the form for each of these types of businesses for which you are, or were at any time during the

disclosure period, an officer, director, partner, proprietor, or agent (other than a resident agent solely for service of process).

If you have or held such a position or ownership interest in one of these types of businesses, list (vertically for each business): the name of the business, its address and principal business activity, and the position held with the business (if any). Also, if you own(ed) more than a 5% interest in the business, as described above, you must indicate that fact and describe the nature of your interest.

(End of Instructions.)

## PENALTIES

*A failure to make any required disclosure constitutes grounds for and may be punished by one or more of the following: disqualification from being on the ballot, impeachment, removal or suspension from office or employment, demotion, reduction in salary, reprimand, or a civil penalty not exceeding \$10,000. [Sec. 112.317, Florida Statutes]*

**Also, if the annual form is not filed by September 1st, a fine of \$25 for each day late will be imposed, up to a maximum penalty of \$1,500. [Section 112.3145, F.S. ]**

## OTHER FORMS YOU MAY NEED TO FILE IN ORDER TO COMPLY WITH THE ETHICS LAWS

In addition to filing Form 1, you *may* be required to file one or more of the special purpose forms listed below, depending on your particular position, business activities, or interests. As it is your duty to obtain and file any of the special purpose forms which may be applicable to you, you should carefully read the brief description of each form to determine whether it applies.

**Form 1F — Final Statement of Financial Interests:** Required of *local officers, state officers, and specified state employees* within 60 days after leaving office or employment. This form is used to report financial interests between January 1st of the last year of office or employment and the last day of office or employment. [Sec. 112.3145(2)(b), Fla. Stat.]

**Form 1X — Amended Statement of Financial Interests:** To be used by *local officers, state officers, and specified state employees* to correct mistakes on previously filed Form 1's. [Sec. 112.3145(9), Fla. Stat.]

**Form 2 — Quarterly Client Disclosure:** Required of *local officers, state officers, and specified state employees* to disclose the names of clients represented for compensation by themselves or a partner or associate before agencies at the same level of government as they serve. The form should be filed by the end of the calendar quarter (March 31, June 30, Sept. 30, Dec. 31) following the calendar quarter in which a reportable representation was made. [Sec. 112.3145(4), Fla. Stat.]

**Form 3A — Statement of Interest in Competitive Bid for Public Business:** Required of public officers and public employees prior to or at the time of submission of a bid for public business which otherwise would violate Sec. 112.313(3) or 112.313(7), Fla. Stat. [Sec. 112.313(12)(b), Fla. Stat.]

**Form 4A — Disclosure of Business Transaction, Relationship, or Interest:** Required of public officers and employees to disclose certain business transactions, relationships, or interests which otherwise would violate Sec. 112.313(3) or 112.313(7), Fla. Stat. [Sec. 112.313(12) and (12)(e), Fla. Stat.]

**Form 8A — Memorandum of Voting Conflict for State Officers:** Required to be filed by a state officer within 15 days after having voted on a measure which inured to his or her special

private gain (or loss) or to the special gain (or loss) of a relative, business associate, or one by whom he or she is retained or employed. Each appointed state officer who seeks to influence the decision on such a measure prior to the meeting must file the form before undertaking that action. [Sec. 112.3143, Fla. Stat.]

**Form 8B — Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers:** Required to be filed (within 15 days of abstention) by each local officer who must abstain from voting on a measure which would inure to his or her special private gain (or loss) or the special gain (or loss) of a relative, business associate, or one by whom he or she is retained or employed. Each appointed local official who seeks to influence the decision on such a measure prior to the meeting must file the form before undertaking that action. [Sec. 112.3143, Fla. Stat.]

**Form 9 — Quarterly Gift Disclosure:** Required of *local officers, state officers, specified state employees, and state procurement employees* to report gifts over \$100 in value. The form should be filed by the end of the calendar quarter (March 31, June 30, September 30, or December 31) following the calendar quarter in which the gift was received. [Sec. 112.3148, Fla. Stat.]

**Form 10 — Annual Disclosure of Gifts from Governmental Entities and Direct Support Organizations and Honorarium Event Related Expenses:** Required of *local officers, state officers, specified state employees, and state procurement employees* to report gifts over \$100 in value received from certain agencies and direct support organizations; also to be utilized by these persons to report honorarium event-related expenses paid by certain persons and entities. The form should be filed by July 1 following the calendar year in which the gift or honorarium event-related expense was received. [Sec. 112.3148 and 112.3149, Fla. Stat.]

## AVAILABILITY OF FORMS; FOR MORE INFORMATION

**Copies of these forms** are available from the Supervisor of Elections in your county; from the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709; telephone (850) 488-7864; and at the Commission's web site: [www.ethics.state.fl.us](http://www.ethics.state.fl.us).

**Questions** about any of these forms or the ethics laws may be addressed to the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709; telephone (850) 488-7864.

**FORM 1 F**  
**FINAL STATEMENT OF 2011**  
**FINANCIAL INTERESTS**

**(TO BE FILED WITHIN 60 DAYS OF LEAVING PUBLIC OFFICE OR EMPLOYMENT)**

**This Final Statement of Financial Interest only needs to be filled out  
by members of the following boards:**

**Board of Adjustment**  
**Code Enforcement**  
**Planning Commission**



**PART D — INTANGIBLE PERSONAL PROPERTY** [Stocks, bonds, certificates of deposit, etc.]  
 (If you have nothing to report, you must write "none" or "n/a")

TYPE OF INTANGIBLE	BUSINESS ENTITY TO WHICH THE PROPERTY RELATES

**PART E — LIABILITIES** [Major debts]  
 (If you have nothing to report, you must write "none" or "n/a")

NAME OF CREDITOR	ADDRESS OF CREDITOR

**PART F — INTERESTS IN SPECIFIED BUSINESSES** [Ownership or positions in certain types of businesses]  
 (If you have nothing to report, you must write "none" or "n/a")

	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2	BUSINESS ENTITY # 3
NAME OF BUSINESS ENTITY			
ADDRESS OF BUSINESS ENTITY			
PRINCIPAL BUSINESS ACTIVITY			
POSITION HELD WITH ENTITY			
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS			
NATURE OF MY OWNERSHIP INTEREST			

IF ANY OF PARTS A THROUGH F ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE

SIGNATURE:

DATE SIGNED:

## FILING INSTRUCTIONS:

**WHAT TO FILE:**

After completing all parts of this form on pages 1 and 2, including signing and dating it, send back only pages 1 and 2 for filing (you need not return any of the instruction pages).  
**Facsimiles will not be accepted.**

**WHEN TO FILE:**

At the end of office or employment each local officer, state officer, and specified state employee is required to file a final disclosure form (Form 1F) within 60 days of leaving office or employment, unless he or she takes another position within the 60-day period that requires filing financial disclosure on Form 1 or Form 6.

**WHERE TO FILE:**

**Local officers:** file with the Supervisor of Elections of the county in which you permanently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county where your agency has its headquarters.)

**State officers or specified state employees:** file with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 3600 Maclay Boulevard, South, Suite 201, Tallahassee, FL 32312.

To determine what category your position falls under, see the "Who Must File" Instructions on page 3.

**NOTE:**

If you are leaving office or employment during the first half of 2011, you may not have filed Form 1 for 2010. In that case, this is not the last form you will file, even though the Form 1F covers the final portion of your term of office or employment. You will be required to file Form 1 for 2010 by July 1 of 2011.

## WHO MUST FILE FORM 1 F, Final Statement of Financial Interests:

All persons who fall within the categories of "state officers," "local officers," and "specified state employees" are required to file Form 1 F within 60 days of leaving that position unless they take another position within the 60-day period that requires filing either Form 1 or Form 6. Positions within these categories are listed below. Persons required to file full financial disclosure (Form 6 -- see that form for a list of persons who are required to file it) should file Form 6 F rather than Form 1 F as their final financial disclosure.

**STATE OFFICERS** include the following positions for state officials:

1) Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.

2) Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding members of solely advisory bodies; but including judicial nominating commission members; Directors of the Florida Black Business Investment Board, Enterprise Florida, Scripps Florida Funding Corporation, Workforce Florida, and Space Florida; Members of the Florida Commission on Tourism, Florida Substance Abuse and Mental Health Corporation, and the Council on the Social Status of Black Men and Boys; and Governors and senior managers of Citizens Property Insurance Corporation, and Florida Workers' Compensation Joint Underwriting Association.

3) The Commissioner of Education, members of the State Board of Education, the Board of Governors, and the local Boards of Trustees and Presidents of state universities.

**LOCAL OFFICERS** include the following positions for officers and employees of local government:

1) Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.

2) Appointed members of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; members of the Tampa Bay Commuter Rail Authority; a community college or junior college district board of trustees; a board having the power to enforce local code provisions; a board of adjustment; a planning or zoning board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards; a pension board or retirement board empowered to invest pension or retirement funds or to determine entitlement to or amount of a pension or other retirement benefit.

3) Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.

4) Persons holding any of these positions in local government: Mayor;

county or city manager; chief administrative employee of a county, municipality, or other political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$20,000 for the local governmental unit.

5) Officers and employees of entities serving as chief administrative officer of a political subdivision.

**SPECIFIED STATE EMPLOYEES** include the following positions for state employees:

1) Employees in the office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.

2) The following positions in each state department, commission, board, or council: Secretary, Assistant or Deputy Secretary, Executive Director, Assistant or Deputy Executive Director, and anyone having the power normally conferred upon such persons, regardless of title.

3) The following positions in each state department or division: Director, Assistant or Deputy Director, Bureau Chief, Assistant Bureau Chief, and any person having the power normally conferred upon such persons, regardless of title.

4) Assistant State Attorneys, Assistant Public Defenders, Public Counsel, full-time state employees serving as counsel or assistant counsel to a state agency, administrative law judges, and hearing officers.

5) The Superintendent or Director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.

6) State agency Business Managers, Finance and Accounting Directors, Personnel Officers, Grant Coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$20,000.

7) The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.

## INSTRUCTIONS FOR COMPLETING FORM 1 F:

### INTRODUCTORY INFORMATION (At Top of Form):

**NAME OF AGENCY:** This should be the name of the governmental unit which you served or by which you were employed. For example, "City of Tallahassee," "Leon County," or "Department of Transportation."

**LOCAL OFFICER, STATE OFFICER, AND SPECIFIED STATE EMPLOYEE DESIGNATIONS:** The positions for each of these categories are listed above, under "Who Must File." Please check the box

for the position you held during the disclosure period.

**OFFICE OR POSITION HELD:** Use the title of the office or position you held during the disclosure period. For example, "City Council Member," "County Administrator," "Purchasing Agent," or "Bureau Chief."

**MAILING ADDRESS:** If your home address appears on the form but you prefer another address be shown, mark through the address provided and insert your office or other current address. If you are an active or former officer or employee listed in Section 119.071(4)(d), F.S., whose home address is exempt from disclosure, the Commission is required to maintain the confidentiality of your home address **if you submit a written request for confidentiality**. Persons listed in Section 119.071(4)(d), F.S., are encouraged to provide an address other than their home address.

**DISCLOSURE PERIOD:** This statement reflects your financial interests for the period between January 1 and the last day of your public office or employment in 2011. Please write the last day of your office or employment in this part of the form. This date should be prior to December 31, 2011. The form 1F cannot be used to report financial interests for a period covering the entire 2011 calendar year, nor should this form be used to report your financial interests for a period beyond 2011.

**MANNER OF CALCULATING REPORTABLE INTERESTS:** As noted in this portion of the form, the Legislature has given filers the option of reporting based on either thresholds that are comparative (usually, based on percentage values) or thresholds that are based on absolute dollar values. The instructions on the following pages specifically describe the different thresholds. Simply check the box that reflects the choice you have made. You must use the type of threshold you have chosen for each part of the form. In other words, if you choose to report based on absolute dollar value thresholds, you cannot use a percentage threshold on any part of the form.

(CONTINUED on page 4) 

## PART A — PRIMARY SOURCES OF INCOME

[Required by Sec. 112.3145(3)(a)1 or (b)1, Fla. Stat.]

Part A is intended to require the disclosure of your principal sources of income during the disclosure period. You do not have to disclose the amount of income received. The sources should be listed in descending order, with the largest source first. Please list in this part of the form the name, address, and principal business activity of each source of your income which (depending on whether you have chosen to report based on percentage thresholds or on dollar value thresholds) either:

exceeded five percent (5%) of the gross income received by you in your own name or by any other person for your benefit or use during the disclosure period, or

exceeded \$2,500.00 (of gross income received during the disclosure period by you in your own name or by any other person for your use or benefit).

You need not list your public salary resulting from public employment, but this amount should be included when calculating your gross income for the disclosure period. The income of your spouse need not be disclosed. However, if there is joint income to you and your spouse from property held by the entireties (such as interest or dividends from a bank account or stocks held by the entireties), you should include all of that income when calculating your gross income and disclose the source of that income if it exceeded the threshold.

"Gross income" means the same as it does for income tax purposes, including all income from whatever source derived, such as compensation for services, gross income from business, gains from property dealings, interest, rents, dividends, pensions, distributive share of partnership gross income, and alimony, but not child support.

### Examples:

— If you were employed by a company that manufactures computers and received more than 5% of your gross income (salary, commissions, etc.) from the company (or, alternatively, \$2,500), then you should list the name of the company, its address, and its principal business activity (computer manufacturing).

— If you were a partner in a law firm and your distributive share of partnership gross income exceeded 5% of your gross income (or, alternatively, \$2,500), then you should list the name of the firm, its address, and its principal business activity (practice of law).

— If you were the sole proprietor of a retail gift business and your gross income from the business exceeded 5% of your total gross income (or, alternatively, \$2,500), then you should list the name of the business, its address, and its principal business activity (retail gift sales).

— If you received income from investments in stocks and bonds, you are required to list only each individual company from which you derived more than 5% of your gross income (or, alternatively, \$2,500), rather than aggregating all of your investment income.

— If more than 5% of your gross income (or, alternatively, \$2,500) was gain from the sale of property (not just the selling price), then you should list as a source of income the name of the purchaser, the purchaser's address, and the purchaser's principal business activity. If the purchaser's identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income should be listed simply as "sale of (name of company) stock," for example.

— If more than 5% of your gross income (or, alternatively, \$2,500) was in the form of interest from one particular financial institution (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and its principal business activity.

## PART B — SECONDARY SOURCES OF INCOME

[Required by Sec. 112.3145(3)(a)2 or (b)2, Fla. Stat.]

This part is intended to require the disclosure of major customers, clients, and other sources of income to businesses in which you own an interest. You will **not** have anything to report **unless** :

(a) If you are reporting based on percentage thresholds:

(1) You owned (either directly or indirectly in the form of an equitable or beneficial interest) during the disclosure period more than five percent (5%) of the total assets or capital stock of a business entity (a corporation, partnership, limited partnership, proprietorship, joint venture, trust, firm, etc., doing business in Florida); **and**

(2) You received more than ten percent (10%) of your gross income during the disclosure period from that business entity; **and**

(3) You received more than \$1,500 in gross income from that business entity during the period.

(b) If you are reporting based on dollar value thresholds:

(1) You owned (either directly or indirectly in the form of an equitable or beneficial interest) during the disclosure period more than five percent (5%) of the total assets or capital stock of a business entity (a corporation, partnership, limited partnership, proprietorship, joint venture, trust, firm, etc., doing business in Florida); **and**

(2) You received more than \$5,000 of your gross income during the disclosure period from that business entity.

If your interests and gross income exceeded the thresholds listed above, then for that business entity you must list every source of income to the business entity which exceeded ten percent (10%) of the business entity's gross income (computed on the basis of the business entity's most recently completed fiscal year), the source's address, and the source's principal business activity.

### Examples:

— You are the sole proprietor of a dry cleaning business, from which you received more than 10% of your gross income (an amount that was more than \$1,500) (or, alternatively, more than \$5,000, if you are using dollar value thresholds). If only one customer, a uniform rental company, provided more than 10% of your dry cleaning business, you must list the name of the uniform rental company, its address, and its principal business activity (uniform rentals).

— You are a 20% partner in a partnership that owns a shopping mall and your partnership income exceeded the thresholds listed above. You should list each tenant of the mall that provided more than 10% of the partnership's gross income, the tenant's address and principal business activity.

— You own an orange grove and sell all your oranges to one marketing cooperative. You should list the cooperative, its address, and its principal business activity if your income met the thresholds.

## PART C — REAL PROPERTY

[Required by Sec. 112.3145(3)(a)3 or (b)3, Fla. Stat.]

In this part, please list the location or description of all real property (land and buildings) in Florida in which you owned directly or indirectly at any time during the disclosure period in excess of five percent (5%) of the property's value. This threshold is the same, whether you are using percentage thresholds or dollar thresholds. You are not required to list your residences and vacation homes; nor are you required to state the value of the property on the form.

Indirect ownership includes situations where you are a beneficiary of a trust that owns the property, as well as situations where you are more than a 5% partner in a partnership or stockholder in a corporation that owns the property. The value of the property may be determined by the most recently assessed value for tax purposes, in the absence of a more current appraisal.

The location or description of the property should be sufficient to enable anyone who looks at the form to identify the property. Although a legal description of the property will do, such a lengthy description is not required. Using simpler descriptions, such as "duplex, 115 Terrace Avenue, Tallahassee" or "40 acres located at the intersection of Hwy. 60 and I-95, Lake County" is sufficient. In some cases, the property tax identification number of the property will help in identifying it: "120 acre ranch on Hwy. 902, Hendry County, Tax ID # 131-45863."

(CONTINUED on page 5) 

Examples:

— You own 1/3 of a partnership or small corporation that owns both a vacant lot and a 12% interest in an office building. You should disclose the lot, but are not required to disclose the office building (because your 1/3 of the 12% interest—which equals 4%—does not exceed the 5% threshold).

— If you are a beneficiary of a trust that owns real property and your interest depends on the duration of an individual's life, the value of your interest should be determined by applying the appropriate actuarial table to the value of the property itself, regardless of the actual yield of the property.

## PART D — INTANGIBLE PERSONAL PROPERTY

[Required by Sec. 112.3145(3)(a)3 or (b)3, Fla. Stat.]

Provide a general description of any intangible personal property that, at any time during the disclosure period, was worth more than:

- (1) ten percent (10%) of your total assets (if you are using percentage thresholds), or
- (2) \$10,000 (if you are using dollar value thresholds),

and state the business entity to which the property related. Intangible personal property includes such things as money, stocks, bonds, certificates of deposit, interests in partnerships, beneficial interests in a trust, promissory notes owed to you, accounts receivable by you, IRAs, and bank accounts. Such things as automobiles, houses, jewelry, and paintings are not intangible property. Intangibles relating to the same business entity should be aggregated; for example, two certificates of deposit and a savings account with the same bank. Where property is owned by husband and wife as tenants by the entirety (which usually will be the case), the property should be valued at 100%.

Calculations: In order to decide whether the intangible property exceeds 10% of your total assets, you will need to total the value of all of your assets (including real property, intangible property, and tangible personal property such as automobiles, jewelry, furniture, etc.). When making this calculation, do not subtract any liabilities (debts) that may relate to the property—add only the fair market value of the property. Multiply the total figure by 10% to arrive at the disclosure threshold. List only the intangibles that exceed this threshold amount. Jointly owned property should be valued according to the percentage of your joint ownership, with the exception of property owned by husband and wife as tenants by the entirety, which should be valued at 100%. None of your calculations or the value of the property have to be disclosed on the form. If you are using dollar value thresholds, you do not need to make any of these calculations.

Examples for persons using comparative (percentage) thresholds:

— You own 50% of the stock of a small corporation that is worth \$100,000, according to generally accepted methods of valuing small businesses. The estimated fair market value of your home and other property (bank accounts, automobile, furniture, etc.) is \$200,000. As your total assets are worth \$250,000, you must disclose intangibles worth over \$25,000. Since the value of the stock exceeds this threshold, you should list "stock" and the name of the corporation. If your accounts with a particular bank exceed \$25,000, you should list "bank accounts" and bank's name.

— When you retired, your professional firm bought out your partnership interest by giving you a promissory note, the present value of which is \$100,000. You also have a certificate of deposit from a bank worth \$75,000 and an investment portfolio worth \$300,000, consisting of \$100,000 of IBM bonds and a variety of other investments worth between \$5,000 and \$50,000 each. The fair market value of your remaining assets (condominium, automobile, and other personal property) is \$225,000. Since your total assets are worth \$700,000, you must list each intangible worth more than \$70,000. Therefore, you would list "promissory note" and the name of your former partnership, "certificate of deposit" and the name of the bank, "bonds" and "IBM," but none of the rest of your investments.

## PART E — LIABILITIES

[Required by Sec. 112.3145(3)(a)4 or (b)4, Fla. Stat.]

In this part of the form, list the name and address of each private or governmental creditor to whom you were indebted for a liability in an amount that, at any time during the disclosure period, exceeded:

- (1) your net worth (if you are using percentage thresholds), or
- (2) \$10,000 (if you are using dollar value thresholds).

You are not required to list the amount of any indebtedness or your net worth. You do not have to disclose any of the following: credit card and retail installment accounts, taxes owed (unless reduced to a judgment), indebtedness on a life insurance policy owed to the company of issuance, contingent liabilities, and accrued income taxes on net unrealized appreciation (an accounting concept). A "contingent liability" is one that will become an actual liability only when one or more future events occur or fail to occur, such as where you are liable only as a guarantor, surety, or endorser on a promissory note. If you are a "co-maker" and have signed as being jointly liable or jointly and severally liable, then this is not a contingent liability; if you are using the \$10,000 threshold and the total amount of the debt (not just the percentage of your liability) exceeds \$10,000 such debts should be reported.

Calculations for persons using comparative (percentage) thresholds: In order to decide whether the debt exceeds your net worth, you will need to total all of your liabilities (including promissory notes, mortgages, credit card debts, lines of credit, judgments against you, etc.). Subtract this amount from the value of all your assets as calculated above for Part D. This is your "net worth." You must list on the form each creditor to whom your debt exceeded this amount unless it is one of the types of indebtedness listed in the paragraph above (credit card and retail installment accounts, etc.). Joint liabilities with others for which you are "jointly and severally liable," meaning that you may be liable for either your part or the whole of the obligation, should be included in your calculations based upon your percentage of liability, with the following exception: joint and several liability with your spouse for a debt which relates to property owned by both of you as "tenants by the entirety" (usually the case) should be included in your calculations by valuing the asset at 100% of its value and the liability at 100% of the amount owed.

Examples for persons using comparative (percentage) thresholds:

— You owe \$15,000 to a bank for student loans, \$5,000 for credit card debts, and \$60,000 (with your spouse) to a savings and loan for a home mortgage. Your home (owned by you and your spouse) is worth \$80,000 and your other property is worth \$20,000. Since your net worth is \$20,000 (\$100,000 minus \$80,000), you must report only the name and address of the savings and loan.

— You and your 50% business partner have a \$100,000 business loan from a bank, for which you both are jointly and severally liable. The value of the business, taking into account the loan as a liability of the business, is \$50,000. Your other assets are worth \$25,000, and you owe \$5,000 on a credit card. Your total assets will be \$50,000 (half of a business worth \$50,000 plus \$25,000 of other assets). Your liabilities, for purposes of calculating your net worth, will be only \$5,000, because the full amount of the business loan already was included in valuing the business. Therefore, your net worth is \$45,000. Since your 50% share of the \$100,000 business loan exceeds this net worth figure, you must list the bank.

## PART F — INTERESTS IN SPECIFIED BUSINESSES

[Required by Sec. 112.3145(5), Fla. Stat.]

You are required to disclose in this part of the form the fact that you owned during the disclosure period an interest in, or held any of certain positions with, particular types of businesses. You are required to make this disclosure if you own or owned (either directly or indirectly in the form of an equitable or beneficial interest) at any time during the disclosure period more than five percent (5%) of the total assets or capital stock of one of the types of business entities granted a privilege to operate in Florida that are listed below. You also must complete this part of the form for each of these types of businesses for which you are, or were at any time during the disclosure period, an officer, director, partner, proprietor, or agent (other than a resident agent solely for service of process).

(CONTINUED on page 6) 

The types of businesses covered in this disclosure are only: state and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies (including insurance agencies); mortgage companies; credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies, utility companies, entities controlled by the Public Service Commission; and entities granted a franchise to operate by either a city or a county government.

If you have or held such a position or ownership interest in one of these types of businesses, list (vertically for each business): the name of the business, its address and principal business activity, and the position held with the business (if any). Also, if you own(ed) more than a 5% interest in the business, as described above, you must indicate that fact and describe the nature of your interest.

(End of Instructions.)

## PENALTIES

***A failure to make any required disclosure constitutes grounds for and may be punished by one or more of the following: disqualification from being on the ballot, impeachment, removal or suspension from office or employment, demotion, reduction in salary, reprimand, or a civil penalty not exceeding \$10,000. [Sec. 112.317, Florida Statutes]***

## OTHER FORMS YOU MAY NEED TO FILE IN ORDER TO COMPLY WITH THE ETHICS LAWS

In addition to filing Form 1 F, you *may* be required to file one or more of the special purpose forms listed below, depending on your particular position, business activities, or interests. As it is your duty to obtain and file any of the special purpose forms which may be applicable to you, you should carefully read the brief description of each form to determine whether it applies.

**Form 1X — Amended Statement of Financial Interests:** To be used by *local officers, state officers, and specified state employees* to correct mistakes on previously filed Form 1's. [Sec. 112.3145(9), Fla. Stat.]

**Form 2 — Quarterly Client Disclosure:** Required of *local officers, state officers, and specified state employees* to disclose the names of clients represented for compensation by themselves or a partner or associate before agencies at the same level of government as they serve. The form should be filed by the end of the calendar quarter (March 31, June 30, Sept. 30, Dec. 31) following the calendar quarter in which a reportable representation was made. [Sec. 112.3145(4), Fla. Stat.]

**Form 9 — Quarterly Gift Disclosure:** Required of *local officers, state officers, specified state employees, and state procurement employees* to report gifts over \$100 in value. The form

should be filed by the end of the calendar quarter (March 31, June 30, September 30, or December 31) following the calendar quarter in which the gift was received. [Sec. 112.3148, Fla. Stat.]

**Form 10 — Annual Disclosure of Gifts from Governmental Entities and Direct Support Organizations and Honorarium Event Related Expenses:** Required of *local officers, state officers, specified state employees, and state procurement employees* to report gifts over \$100 in value received from certain agencies and direct support organizations; also to be utilized by these persons to report honorarium event-related expenses paid by certain persons and entities. The form should be filed by July 1 following the calendar year in which the gift or honorarium event-related expense was received. [Sec. 112.3148 and 112.3149, Fla. Stat.]

## AVAILABILITY OF FORMS; FOR MORE INFORMATION

Copies of these forms are available from the Supervisor of Elections in your county and from the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709; telephone (850) 488-7864; and at the Commission's website: [www.ethics.state.fl.us](http://www.ethics.state.fl.us).

Questions about any of these forms or the ethics laws may be addressed to the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709; telephone (850) 488-7864.

**Form 9****QUARTERLY GIFT DISCLOSURE  
(GIFTS OVER \$100)**

LAST NAME -- FIRST NAME -- MIDDLE NAME:			NAME OF AGENCY:	
MAILING ADDRESS:			OFFICE OR POSITION HELD:	
CITY:	ZIP:	COUNTY:	FOR QUARTER ENDING (CHECK ONE):	
			<input type="checkbox"/> MARCH <input type="checkbox"/> JUNE <input type="checkbox"/> SEPTEMBER <input type="checkbox"/> DECEMBER    YEAR 20__	

**PART A — STATEMENT OF GIFTS**

Please list below each gift, the value of which you believe to exceed \$100, accepted by you during the calendar quarter for which this statement is being filed. You are required to describe the gift and state the monetary value of the gift, the name and address of the person making the gift, and the date(s) the gift was received. If any of these facts, other than the gift description, are unknown or not applicable, you should so state on the form. As explained more fully in the instructions on the reverse side of the form, you are not required to disclose gifts from relatives or certain other gifts. **You are not required to file this statement for any calendar quarter during which you did not receive a reportable gift.**

DATE RECEIVED	DESCRIPTION OF GIFT	MONETARY VALUE	NAME OF PERSON MAKING THE GIFT	ADDRESS OF PERSON MAKING THE GIFT

CHECK HERE IF CONTINUED ON SEPARATE SHEET

**PART B — RECEIPT PROVIDED BY PERSON MAKING THE GIFT**

If any receipt for a gift listed above was provided to you by the person making the gift, you are required to attach a copy of that receipt to this form. You may attach an explanation of any differences between the information disclosed on this form and the information on the receipt.

CHECK HERE IF A RECEIPT IS ATTACHED TO THIS FORM

**PART C — OATH**

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed herein and on any attachments made by me constitutes a true accurate, and total listing of all gifts required to be reported by Section 112.3148, Florida Statutes.  _____ SIGNATURE OF REPORTING OFFICIAL	STATE OF FLORIDA COUNTY OF _____ Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____ by _____ _____ (Signature of Notary Public-State of Florida) _____ (Print, Type, or Stamp Commissioned Name of Notary Public) Personally Known _____ OR Produced Identification Type of Identification Produced _____
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**PART D — FILING INSTRUCTIONS**

This form, when duly signed and notarized, must be filed with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, Florida 32317-5709; physical address: 3600 Maclay Blvd. South, Suite 201, Tallahassee, Florida 32312. The form must be filed no later than the last day of the calendar quarter that follows the calendar quarter for which this form is filed (For example, if a gift is received in March, it should be disclosed by June 30.)

## PART E — INSTRUCTIONS

### WHO MUST FILE THIS FORM?

- Any individual, including a candidate upon qualifying, who is required by law to file full and public disclosure of his financial interests on Commission on Ethics Form 6, except Judges. (See Form 6 for a list of persons required to file that form.)
- Any individual, including a candidate upon qualifying, who is required by law to file a statement of financial interests on Commission on Ethics Form 1. (See Form 1 for a list of persons required to file that form.)
- Any procurement employee of the executive branch or judicial branch of state government. This includes any employee who participates through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, or auditing or in any other advisory capacity in the procurement of contractual services or commodities as defined in Section 287.012, Florida Statutes, if the cost of such services or commodities exceeds \$1,000 in any year.

**NOTE: Gifts that formerly were allowed under Section 112.3148, F.S., now may be prohibited expenditures under Sections 11.045 and 112.3215, F.S.**

### WHAT GIFTS ARE REPORTABLE?

- Any gift (as defined below) you received which you believe to be in excess of \$100 in value, **EXCEPT**:
  - 1) Gifts from the following **RELATIVES**: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, a person who is engaged to be married to you or who otherwise holds himself or herself out as or is generally known as the person whom you intend to marry or with whom you intend to form a household, or any other natural person having the same legal residence as you.
  - 2) Gifts which you are prohibited from accepting by Sections 112.313(4) and 112.3148(4), Florida Statutes. These include any gift which you know or, with the exercise of reasonable care, should know was given to influence a vote or other action in which you are expected to participate in your official capacity; it also includes a gift worth over \$100 from a political committee or committee of continuous existence under the elections law, from a lobbyist who lobbies your agency or who lobbied your agency within the past 12 months, or from a partner, firm, employer, or principal of such a lobbyist.
  - 3) Gifts worth over \$100 for which there is a public purpose, given to you by an entity of the legislative or judicial branch, a department or commission of the executive branch, a water management district created pursuant to s. 373.069, South Florida Regional Transportation Authority, the Technological Research and Development Authority, a county, a municipality, an airport authority, or a school board; or a gift worth over \$100 given to you by a direct-support organization specifically authorized by law to support the governmental agency of which you are an officer or employee. These gifts must be disclosed on Form 10.
- A "gift" is defined to mean that which is accepted by you or by another in your behalf, or that which is paid or given to another for or on behalf of you, directly, indirectly, or in trust for your benefit or by any other means, for which equal or greater consideration is not given within 90 days after receipt of the gift. A "gift" includes real property; the use of real property; tangible or intangible personal property; the use of tangible or intangible personal property; a preferential rate or terms on a debt, loan, goods, or services, which rate is below the customary rate and is not either a government rate available to all other similarly situated government employees or officials or a rate which is available to similarly situated members of the public by virtue of occupation, affiliation, age, religion, sex, or national origin; forgiveness of an indebtedness; transportation (unless provided to you by an agency in relation to officially approved governmental business), lodging, or parking; food or beverage; membership dues; entrance fees, admission fees or tickets to events, performances, or facilities; plants, flowers, or floral arrangements; services provided by persons pursuant

to a professional license or certificate; other personal services for which a fee is normally charged by the person providing the services; and any other similar service or thing having an attributable value and not already described.

- The following are **NOT** reportable as gifts on this form: salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with your employment, business, or service as an officer or director of a corporation or organization; contributions or expenditures reported pursuant to the election laws, campaign-related personal services provided without compensation by individuals volunteering their time, or any other contribution or expenditure by a political party; an honorarium or an expense related to an honorarium event paid to you or your spouse; an award, plaque, certificate, or similar personalized item given in recognition of your public, civic, charitable, or professional service; an honorary membership in a service or fraternal organization presented merely as a courtesy by such organization; the use of a governmental agency's public facility or public property for a public purpose. Also exempted are some gifts from state, regional, and national organizations that promote the exchange of ideas between, or the professional development of, governmental officials or employees.

### HOW DO I DETERMINE THE VALUE OF A GIFT?

- The value of a gift provided to you is determined using the actual cost to the donor, and, with respect to personal services provided by the donor, the reasonable and customary charge regularly charged for such service in the community in which the service is provided. Taxes and gratuities are not included in valuing a gift. If additional expenses are required as a condition precedent to the donor's eligibility to purchase or provide a gift and the expenses are primarily for the benefit of the donor or are of a charitable nature, the expenses are not included in determining the value of the gift.
- Compensation provided by you to the donor within 90 days of receiving the gift shall be deducted from the value of the gift in determining the value of the gift.
- If the actual gift value attributable to individual participants at an event cannot be determined, the total costs should be prorated among all invited persons. A gift given to several persons may be attributed among all of them on a pro rata basis. Food, beverages, entertainment, etc., provided at a function for more than ten people should be valued by dividing the total costs by the number of persons invited, unless the items are purchased on a per-person basis, in which case the per-person cost should be used.
- Transportation should be valued on a round-trip basis unless only one-way transportation is provided. Round-trip transportation expenses should be considered a single gift. Transportation provided in a private conveyance should be given the same value as transportation provided in a comparable commercial conveyance.
- Lodging provided on consecutive days should be considered a single gift. Lodging in a private residence should be valued at \$44 per night.
- Food and beverages consumed at a single sitting or event are a single gift valued for that sitting or meal. Other food and beverages provided on a calendar day are considered a single gift, with the total value of all food and beverages provided on that date being the value of the gift.
- Membership dues paid to the same organization during any 12-month period are considered a single gift.
- Entrance fees, admission fees, or tickets are valued on the face value of the ticket or fee, or on a daily or per event basis, whichever is greater. If an admission ticket is given by a charitable organization, its value does not include the portion of the cost that represents a contribution to that charity.
- Except as otherwise provided, a gift should be valued on a per occurrence basis.

### FOR MORE INFORMATION

The gift disclosures made on this form are required by Sec. 112.3148, Florida Statutes. Questions may be addressed to the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709 or by calling (850) 488-7864; information is also provided at: [www.ethics.state.fl.us](http://www.ethics.state.fl.us).

# FORM 10

## ANNUAL DISCLOSURE OF GIFTS FROM GOVERNMENTAL ENTITIES AND DIRECT SUPPORT ORGANIZATIONS AND HONORARIUM EVENT RELATED EXPENSES

LAST NAME -- FIRST NAME -- MIDDLE NAME:		THIS STATEMENT REFLECTS GIFTS AND HONORARIUM EVENT RELATED EXPENSES RECEIVED DURING CALENDAR YEAR 200____.	
		DO NOT FILE THIS FORM IF YOU HAVE NOTHING TO REPORT ON IT.	
MAILING ADDRESS:		NAME OF AGENCY:	
CITY:	ZIP:	COUNTY:	OFFICE OR POSITION HELD:

**NOTICE:** Under provisions of Sec. 112.317, Fla. Stat., a failure to make any required disclosure constitutes grounds for and may be punished by one or more of the following: impeachment, removal or suspension from office or employment, demotion, reduction in salary, reprimand or a fine up to \$10,000.

### PART A – GIFTS (HAVING A PUBLIC PURPOSE) FROM GOVERNMENTAL ENTITIES

NAME OF PERSON PROVIDING GIFT(S)	TOTAL VALUE OF GIFTS FROM THAT PERSON	DESCRIPTION OF INDIVIDUAL GIFTS	DATE EACH GIFT RECEIVED

### PART B – GIFTS FROM DIRECT SUPPORT ORGANIZATIONS

NAME OF PERSON PROVIDING GIFT(S)	TOTAL VALUE OF GIFTS FROM THAT PERSON	DESCRIPTION OF INDIVIDUAL GIFTS	DATE EACH GIFT RECEIVED

### PART C – HONORARIUM EVENT RELATED EXPENSES

	EVENT #1	EVENT #2	<b>INSTRUCTIONS</b> on who must file this form and how to fill it out are on the reverse side.  <b>FILING INSTRUCTIONS</b> for when and where to file this form are located on the reverse side.
NAME OF PERSON PAYING EXPENSES			
ADDRESS OF PERSON			
AFFILIATION OF PERSON			
AMOUNT OF HONORARIUM EXPENSES			
DATE(S) OF THE EVENT			
DESCRIPTION OF EXPENSES PAID EACH DAY			
TOTAL VALUE OF EXPENSES FOR THE EVENT			

IF ANY OF PARTS A THROUGH C ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE

REMEMBER TO ATTACH COPIES OF ALL STATEMENTS PROVIDED TO YOU BY PERSONS AND ENTITIES PROVIDING OR PAYING FOR THE GIFTS AND HONORARIUM EVENT RELATED EXPENSES DISCLOSED ON THIS FORM. YOU MUST DISCLOSE ALL OF THESE KINDS OF GIFTS AND EXPENSES EVEN THOUGH YOU DID NOT RECEIVE A STATEMENT OR REPORT FROM THE PERSON OR ENTITY PROVIDING THEM. YOU MAY EXPLAIN ANY DIFFERENCES BETWEEN THE ATTACHED REPORTS AND STATEMENTS AND THE INFORMATION PROVIDED ON THIS FORM BY ATTACHING AN EXPLANATION TO THE FORM.

SIGNATURE:

DATE SIGNED:

### INSTRUCTIONS FOR COMPLETING AND FILING FORM 10:

**WHEN AND WHERE TO FILE:** By July 1 of the year following the year covered by this form. Persons who file Form 1 or Form 6 should file this form with their Form 1 or Form 6. State procurement employees (see definition below) file this form with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, Florida 32317-5709; physical address: 3600 Maclay Blvd. South, Suite 101, Tallahassee, FL 32312. This form need not be filed unless a reportable gift or expense was received during the time you held public office or employment.

**WHO MUST FILE FORM 10:** All persons who are required to file Form 1, Statement of Financial Interests, and all persons who file Form 6, Full and Public Disclosure of Financial Interests, including candidates (comprehensive lists are part of each of those forms) **except judges**. In addition, state "procurement employees" are required to file Form 10, as well as former reporting individuals and procurement employees who left office or employment during the calendar year covered by the report. You are a "procurement employee" if you:

(1) Are an employee of an office, department, board, commission, or council of the executive or judicial branches of state government; and

(2) Participate in the procurement of contractual services or commodities costing more than \$1,000 in any year, through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or any other advisory capacity.

#### INTRODUCTORY INFORMATION

(At the top of the form):

**CALENDAR YEAR:** Write the year covered by this form.

**NAME OF AGENCY:** This should be the name of the governmental unit which you serve or served, sought election to, or by which you are or were employed. For example, "City of Tallahassee," "Florida Senate," or "Department of Transportation."

**OFFICE OR POSITION HELD:** Use the title of the office or position you hold, sought, or held during the year covered

by this form (in some cases you may not hold that position now, but you still would be required to file to disclose your interests during the last year you held that position) For example, "City Council Member," "Member," "Purchasing Agent," or "Bureau Chief."

**MAILING ADDRESS:** Write your current mailing address here. If you are an active or former officer or employee listed in Section 119.071(4)(d), F.S., whose home address is exempt from disclosure, the Commission is required to maintain the confidentiality of your home address *if you submit a written request for confidentiality*. Persons listed in Section 119.071(4)(d), F.S. should provide an address other than their home address, if possible.

#### PART A — GIFTS FROM GOVERNMENTAL ENTITIES

[Required by Sec. 112.3148, Fla. Stat.]

Entities of the legislative or judicial branches, departments and commissions of the executive branch, counties, municipalities, airport authorities, school boards, water management districts created by 373.069, F.S., the Technological Research and Development Authority, and the South Florida Regional Transportation Authority may give, either directly or indirectly, a gift worth over \$100 to persons who file Form 1 or Form 6 or to state procurement employees *if* a public purpose can be shown for the gift. Part A should be used to list such gifts. Under the law, these governmental entities are required to provide you with a statement concerning these gifts by March 1; attach this statement to Form 10.

#### PART B — GIFTS FROM DIRECT SUPPORT ORGANIZATIONS

[Sec. 112.3148, Fla. Stat.]

Direct support organizations specifically authorized by law to support a governmental entity may give a gift worth over \$100 to a person who files Form 1 or Form 6 or to a state procurement employee *if* the person or employee is an officer or employee of that governmental entity. Part B should be used to list such gifts. Under the law, these direct support organizations are required to provide you with a statement concerning these gifts by March 1; attach this statement to Form 10.

#### PART C — HONORARIUM EVENT RELATED EXPENSES

[Required by Sec. 112.3149, Fla. Stat.]

Reporting individuals who file Form 1 and Form 6 and state procurement employees are prohibited from accepting an honorarium (a payment in exchange for a speech, oral presentation, writing, and the like) from a political committee or committee of continuous existence, from a lobbyist who lobbies them or their public agency (or has done so within the previous 12 months), and from the employer, principal, partner, or firm of such a lobbyist. However, these persons and entities may pay or provide a reporting individual or procurement employee and his or her spouse for actual and reasonable transportation, lodging, event or meeting registration fee, and food and beverage expenses related to an event at which a speech, presentation, or writing will be made by the public officer or employee. Part C should be used to describe these honorarium event related expenses. Under the law, the persons or entities paying for or providing such expenses are required to provide you with a statement concerning them within 60 days of the honorarium event; attach this statement to Form 10.

#### NOTE

Gifts that formerly were allowed under Sections 112.3148 and 112.3149, F.S., now may be prohibited expenditures under Sections 11.045 and 112.3215, F.S.

#### FOR MORE INFORMATION

Questions about this form or the ethics laws may be addressed to the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709; telephone (850) 488-7864; information is also provided at: [www.ethics.state.fl.us](http://www.ethics.state.fl.us).