

GUIDE TO THE
LEGISLATIVE ANNUAL STATEMENT
OF
FINANCIAL DISCLOSURE

April 2011

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GUIDE TO THE LEGISLATIVE ANNUAL STATEMENT OF FINANCIAL DISCLOSURE

The Legislative Ethics Commission has prepared this guide to answer questions on how to complete and file the Annual Statement of Financial Disclosure ("statement") which is required by Public Officers Law § 73-a. This guide is for informational purposes only and does not have the force of law. It is not a substitute for a careful reading of Public Officers Law §§ 73, 73-a, 74 and Legislative Law § 80.

If you have questions on how to complete your statement, you may contact commission staff for information or write the Legislative Ethics Commission for formal advice on the application of the law.

WHO MUST FILE?

The following individuals must file the Annual Statement of Financial Disclosure with the Legislative Ethics Commission:

- members of the legislature;
- legislative employees who will receive annual compensation in 2011 of more than \$88,256 from the legislature;
- legislative employees who hold policymaking positions, as determined by the appointing authority;
- candidates for state legislative office. [See pages 2 and 7]

Legislative members or employees who are required to file an Annual Statement of Financial Disclosure with both the State Ethics Commission and the Legislative Ethics Commission must file the statement with one office and notify the other office of that fact in writing. State legislative candidates must file with the Legislative Ethics Commission.

If you work for more than one office or employer within the legislative branch of government and your total annual compensation for these jobs is more than \$88,256 you must file the statement. However, if you work for two different branches of government (e.g. legislative and executive) and receive \$88,256 annually or less from each branch of government you do **not** have to file the statement. This is true even if your total combined income is more than \$88,256. Regardless of income level, if you are designated as a policymaker, you must file the statement.

WHEN MUST THE ANNUAL STATEMENT ON FINANCIAL DISCLOSURE BE FILED?

The following individuals must file the annual statement on or before **May 15**:

- members of the legislature;
- legislative employees who are expected to receive more than \$88,256 in legislative income during the current calendar year (2011);
- legislative employees who are designated as policymakers by the appointing authority and earn \$88,256 or less.

The following individuals must file the annual statement within thirty (30) days of the change in employment status:

- new legislative employees, hired after May 15, who are expected to receive more than \$88,256 in legislative income during the remainder of the calendar year (2011);
- new legislative employees, hired after May 15, who are designated as policymakers by the appointing authority;
- continuing legislative employees who were not required to file by May 15 but subsequently receive a salary adjustment which will result in their receiving more than \$88,256 in legislative income during the current calendar year;
- continuing legislative employees who were not required to file by May 15 but who are subsequently designated as policymakers by the appointing authority.

WHEN MUST CANDIDATES FOR STATE LEGISLATIVE OFFICE FILE?

Candidates for state legislative office must file the statement with the Legislative Ethics Commission as follows:

- candidates who receive the nomination of a party for a special election shall file such statement within seven days after the date of the meeting of the party committee at which they are nominated;

GENERAL INFORMATION ON FILING THE FORM

All questions on the annual statement refer to financial interests held during calendar year 2010 unless otherwise indicated. **Please respond to every part of each question. On those sections in which you have no information to report, please indicate "none." If a question does not apply to you, indicate "not applicable" in the space provided.**

If you are unable to complete a question due to lack of information, you may need to request an extension of time to file the statement or an exemption from the requirement to complete the statement. There are other sections in this guide which discuss these processes. If you are required to disclose an interest or position because you held it during the prior calendar year (2010), even though you no longer hold the interest or position you may indicate on your statement the fact that you no longer hold that interest or position.

REMEMBER

- **Use the letter categories A through F when reporting categories of value or amount.** Actual dollar amounts are not required to be disclosed. By law, the categories of value are confidential and are redacted from the statement before it is made available for public inspection. If you have difficulty in ascertaining the proper value of a financial interest, you may wish to value it at the higher category since the law provides a penalty for falsely understating a value. The categories of value are:
 - "A" (Under \$5,000);
 - "B" (\$5,000 to under \$20,000);
 - "C" (\$20,000 to under \$60,000);
 - "D" (\$60,000 to under \$100,000);
 - "E" (\$100,000 to under \$250,000);
 - "F" (\$250,000 and over).

- Wherever possible, list the letter for the category of value directly below the column heading which will facilitate the commission's procedures for keeping categories of value confidential.

- Additional pages may be attached to the statement if more space is needed. Each additional page should include:
 1. the question number;
 2. the remainder of the answer;
 3. the name of the reporting individual.
- **Please complete the statement legibly, either printing in ink or typing the answers.** Illegible or unsigned statements, or those completed in pencil, will be returned for proper completion.
- In questions requiring disclosure of interests in excess of a certain dollar value, you do not need to report any interest worth less than that amount.

REQUEST FOR AN EXTENSION OF THE TIME TO FILE

(a) Justifiable Cause or Undue Hardship

If there are significant circumstances that prevent you from filing the statement when due, you may request an extension of the time to file on the basis of justifiable cause or undue hardship. The request must be received before the due date for the statement, which is May 15 in most cases, on a form obtained from the commission. A request for an extension of time does not automatically extend your time to file.

(b) Internal Revenue Service Automatic Extension of Time

If you have filed an individual request for extension of your income tax return with the Internal Revenue Service, you may request an extension of time from the commission to file the complete Annual Statement of Financial Disclosure. If you wish to do this, you must file the following information with the commission by the due date, which in most cases is May 15:

1. an initial statement including all information not affected by the income tax extension; and
2. a copy of your Internal Revenue Service request for extension.

A request for an extension under this provision does not relieve you from filing information not related to your income tax return by the due date.

You also must file a supplementary statement with all the remaining information no later than seven days after your tax extension expires.

REQUEST FOR AN EXEMPTION PERTAINING TO SPOUSE AND UNEMANCIPATED CHILDREN

Questions 4(b), 5(b), 6, 8(b), 9, 13, 16, 17, and 19 on the statement require information pertaining to your spouse and/or UNEMANCIPATED children.

You may request an exemption from disclosing specific information pertaining to your spouse or unemancipated children if you meet certain criteria. Complete guidelines and forms for the exemption request are available from the commission. The request should be made at least 2 weeks before the due date for the statement and should be on an exemption form obtained from the commission. The information that has been sought to be exempted will not be required to be disclosed until the Legislative Ethics Commission has made its determination.

REQUEST FOR DELETION

All information on the Annual Statements of Financial Disclosure, other than "category of value or amount," is available for public inspection. When you file your completed statement, you may simultaneously request the deletion of one or more items from the public access copy. However, you must initially provide the information that you wish to have deleted on the statement. Instructions and forms for requesting a deletion are available from the commission. The information that has been requested to be deleted will not be made available for public inspection until the Legislative Ethics Commission has made its determination.

CONTENTS OF STATEMENT

The following pages cover each question on the statement. The question is given first, followed by explanatory text. The text summarizes the broad purpose of the question, identifies any unique interpretations given by the commission or the predecessor committee, and restates parts of the question which you may have overlooked.

Remember to indicate "none" or "not applicable" to each question where you have nothing to report.

QUESTIONS 1-3 - Name, Employment, & Marital Status:

1. Name_____
2. (a) Title of Position_____
- (b) Department, Agency or other Governmental Entity_____
- (c) Address of Present Office_____
- (d) Office Telephone Number_____
3. (a) Marital Status_____. If married, please give spouse's full name including maiden name where applicable._____
- (b) List the names of all unemancipated children._____

In question 1, state your full name, including either your middle name or initial.

Question 2(a) requires you to list either the official title of your legislative position or indicate that you are a candidate. For question 2(b):

- members should list the legislative house in which they serve;
- employees should list the full name of the legislative office, as well as the legislative house, in which they are employed; and
- candidates should list the house (Senate or Assembly) and district number of the legislative office which they are seeking to hold.

For question 2(c), legislators and employees should provide a complete office address. If the office is not in Albany, include the city and zip code. Candidates should provide a preferred mailing address. In question 2(d), legislators and employees should provide the appropriate office telephone number, and candidates should provide a complete daytime telephone number.

Question 3(a) requires you to list your current marital status as "married," "single," or "separated." If you married on or after January 1, 2011, you will need to report spousal information under the appropriate questions, even though you were not married during 2010.

You are not required to report financial information of a spouse if you and your spouse live separate and apart with the intention of terminating the marriage or providing for permanent separation; or if you are separated pursuant to a judicial order, decree, or judgment, or a legally binding agreement.

"Unemancipated child" means any son, daughter, stepson, or stepdaughter who is under age eighteen (18), unmarried **and** living in your household.

QUESTION 4 - Positions Held, Other Than Those With the State:

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

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

Position	Organization	State or Local Agency
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Question 4(a) asks for information on various positions of authority that **you** hold other than with the State of New York. Question 4(b) asks for information on various positions of authority that your spouse or your unemancipated children hold other than with the State of New York. If you have nothing to report, indicate "not applicable" on the appropriate part of this question.

In questions 4(a) and (b), "entity" refers to the column heading "organization." If the entity is a **partnership**, indicate whether you are a general or limited partner under (a). Under (b), report similar interests held by your spouse or unemancipated children. A "partnership" is defined as an association of two or more persons who carry on business for profit as co-owners. If the entity is a **corporation**, whether for profit or non-profit, you must report your position with the corporation under (a) and that of your spouse or unemancipated children under (b). "Position of any nature"

means a position equivalent to an officer, director or partner in a corporation, association, organization or partnership, but having a different title.

You also need to indicate any state or local agency which licenses or regulates the entity, as well as those agencies with which the entity did regular and significant business. The term "regulatory agency" shall mean the banking department, insurance department, state liquor authority, department of agriculture and markets, department of education, department of environmental conservation, department of health, division of housing and community renewal, department of state, other than the division of corporations and state records, department of public service, the industrial board of appeals in the department of labor and the department of law, other than when the attorney general or his agents or employees are performing duties specified in section sixty-three of the executive law.

If you need further guidance on determining whether you should identify any state or local agency, you may contact the commission for advice. If you do not know whether the organization was licensed or regulated by, or did business with, any state or local agency, indicate that you do not know. The commission may subsequently ask you to provide information on why that information is not available to you.

You do not need to report memberships in organizations, positions with political parties (those positions are reportable on question 7), uncompensated honorary positions, or positions held with the State of New York. "Uncompensated honorary positions" are positions limited to a specific event (e.g., chair of a fund-raising drive) or strictly ceremonial in nature (e.g., a parliamentarian).

QUESTION 5 - Occupation:

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

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

Position	Name & Address of Organization	Description	State or Local Agency
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Question 5(a) asks for information about any occupation or employment you had during 2010. You need not duplicate information that you provided on your legislative position under question 2(a). List any trade, business, or profession you engaged in during 2010. "Engaged in" means practicing the occupation or profession during 2010, whether or not you were compensated for your services. If this activity (trade, business, or profession) was licensed by, regulated by, or did regular and significant business with a state or local agency, you need to report the agency's name. If you held a license during 2010 but did not use it, you do not have to report it.

Question 5(b) asks for similar information concerning your spouse or unemancipated children **only if** that person was employed or engaged in an occupation, trade, business, or profession which is licensed or regulated by a state or local agency, or if that person's organization did regular and significant business with a state or local agency.

If you have nothing to report, indicate "not applicable" on the appropriate part of this question.

QUESTION 6 - Interests in Contracts:

6. List any interest, in EXCESS of \$1,000, held by the reporting individual, such individual's spouse or unemancipated child, or partnership of which any such person is a member, or corporation, 10% or more of the stock of which is owned or controlled by any such person, whether vested or contingent, in any contract made or executed by a state or local agency and include the name of the entity which holds such interest and the relationship of the reporting individual or such individual's spouse or such child to such entity and the interest in such contract. Do NOT include bonds and

notes. Do NOT list any interest in any such contract on which final payment has been made and all obligations under the contract except for guarantees and warranties have been performed, provided, however, that such an interest must be listed if there has been an ongoing dispute during the calendar year for which this statement is filed with respect to any such guarantees or warranties. Do NOT list any interest in a contract made or executed by a local agency after public notice and pursuant to a process for competitive bidding or a process for competitive requests for proposals.

Self, Spouse or Child	Entity Which Held Interest in Contract	Relationship to Entity and Interest in Contract	Contracting State or Local Agency	Category of Value of Contract
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Question 6 requires you to report **all** interests in **continuing** contractual agreements with the state. It also requires you to report all continuing interests in noncompetitively bid contracts with local agencies. The statute does not require you to report: competitively bid contracts with local agencies; completed contracts in which final payment was made by the calendar year end and with which there is no ongoing dispute; or contracts which are limited to holding a bond or note as an investment instrument from a state or local agency. Information regarding such bonds and notes may be required to be reported under question 13 or question 16.

If you have nothing to report, indicate "not applicable."

QUESTION 7 - Political Party Positions:

7. List any position the reporting individual held as an officer of any political party or political organization, as a member of any political party committee, or as a political party district leader. The term "party" shall have the same meaning as "party" in the election law. The term "political organization" means any party or independent body as defined in the election law or any organization that is affiliated with or a subsidiary of a party or independent body.

Question 7 requires you to list any of the enumerated positions you held during 2010 with a political party or political organization. You are not required to report a position with a candidate's campaign committee.

If you have nothing to report, indicate "not applicable."

QUESTION 8 - (a) Licensed Professions and (b) Business Investments:

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

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

If you practice certain licensed professions--law, real estate (as a broker or agent), or practice a profession licensed by the department of education, question 8(a) requires you to describe the subject areas of your practice. The professions licensed by the department of education are: medicine, physician's assistants and specialist's assistants, chiropractic, dentistry, dental hygiene, veterinary medicine, animal health technology, physical therapy, physical therapy assistants, pharmacy, nursing, podiatry, optometry, ophthalmic dispensing, engineering, land surveying, architecture, landscape architecture, public accountancy, shorthand reporting, psychology, social work, massage, occupational therapy, dietetics and nutrition, speech-language pathology, audiology, acupuncture, interior design, midwifery, athletic trainers, respiratory therapists and technicians.

If you are engaged in any of the above professions, give a general description of the principal subject areas of matters undertaken by you. If you are a partner or shareholder in a firm or corporation in any of these professions, you also need to report the principal subject areas of the matters undertaken by the organization.

The statute states that you should not report clients, customers, or patients. You do not need to report holding a license during 2010 if you did not use it. If you have nothing to report, indicate "not applicable" on the appropriate part of this question.

Question 8(b) requires you to report business entities in which either you or your spouse had an investment of more than \$1,000 other than investments in securities or real property. This question is not limited to investments in the licensed professions covered by 8(a). A business investment in a security is reported under question 16. A business investment in real property is reported under question 17.

If you have nothing to report, indicate "not applicable."

QUESTION 9 - Gifts:

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

Self, Spouse or Child	Name of Donor	Address	Nature of Gift	Category of Value of Gift
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This question requests information on gifts worth more than \$1,000 in the aggregate by source that were received by you **or** your spouse **or** an unemancipated child during 2010. "Gift" refers to a transfer made gratuitously of any real or personal property, benefit, or gain and is not limited to money. Distributions from trusts or estates are not gifts, but may be reportable under other questions. Gifts from relatives*, political campaign contributions, and certain types of reimbursed travel expenses are **not** considered reportable gifts. See question 10 for information about travel expenses or travel reimbursements.

The value of reportable gifts is the annual aggregate value of gifts from a single donor to a single recipient. Thus, if a donor gave gifts worth \$750 to you twice during the year 2010, you would have a reportable gift of category "A" value (\$1,500). Please indicate the category of value and the nature of **each** gift as well as the name and address of the donor.

If you have nothing to report, indicate "not applicable."

***"Relative" means spouse, child, stepchild, stepparent, or any person who is a direct descendent of your grandparents or your spouse's grandparents.**

QUESTION 10 - Travel Reimbursements:

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

Source

Description

This question requires you to report reimbursements of travel expenses of more than \$1,000, in the aggregate from each source, which were provided by non-governmental sources for activities related to your official duties. You do not need to report travel reimbursements received from political organizations or campaign committees, which are reportable in a duly filed campaign finance report, or business travel paid for by a private employer to conduct its business.

If you have nothing to report, indicate "not applicable."

QUESTION 11 - Other Beneficial Interests:

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

Identity	Category of Value*
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*The value of such interest shall be reported only if reasonably ascertainable

This question requests information on interests of more than \$1,000 in trusts and retirement plans held by you even though the interest may not have been a source of income to you during 2010. Remember to indicate the category of value of your interest. Identify any Keogh plans, annuities, and all retirement plans (other than those of New York State or New York City) in which you are currently participating or in which you have an interest.

List all deferred compensation plans including state or local plans.

For IRAs, if you received income from your IRA of more than \$1,000 in 2010, report such income under **Question 13**. If you had an IRA invested in a security, including a mutual fund, with a market value of more than \$1,000, report that security under question 16. You do not have to report interests in individual retirement accounts (IRAs) here.

If you have nothing to report, indicate "not applicable." You do **not** need to report interests in a trust, estate, or other beneficial interest established by, for, or in the estate of a relative. You do not have to report any interest in a 529 College Savings Plan or an Education IRA. You also do not need to report trusts which you established to benefit others.

QUESTION 12 - Interests with Former or Future Employers:

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

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

In question 12(a) report the parties to and terms of any contract, promise, or agreement between you and any person or entity for future employment after termination of your term of office or your employment with the legislature.

If you hold an interest of more than \$1,000 in a pension fund, profit-sharing plan or employee benefit plan with a former employer, you need to report that interest in Question 12(b). If,

after separation, a former employer paid more than \$1,000 in 2010 in benefits for you, you need to report that information accordingly. Such benefits include, but are not limited to: life or health insurance premiums; contributions to employee benefit plans, pension or profit-sharing plans; or continued provision of goods, services or compensation. "Former employer" does not include the State of New York.

If you have nothing to report, indicate "not applicable" on the appropriate part of this question.

QUESTION 13 - Income:

13. List below the nature and amount of any income in EXCESS of \$1,000 from EACH SOURCE for the reporting individual and such individual's spouse for the taxable year last occurring prior to the date of filing. Nature of income includes, but is not limited to, all income (other than that received from the employment listed under Item 2 above) from compensated employment whether public or private, directorships and other fiduciary positions, contractual arrangements, teaching income, partnerships, honorariums, lecture fees, consultant fees, bank and bond interest, dividends, income derived from a trust, real estate rents, and recognized gains from the sale or exchange of real or other property. Income from a business or profession and real estate rents shall be reported with the source identified by the building address in the case of real estate rents and otherwise by the name of the entity and not by the name of the individual customers, clients or tenants, with the aggregate net income before taxes for each building address or entity. The receipt of maintenance received in connection with a matrimonial action, alimony and child support payments shall not be listed.

Self/ Spouse	Source	Nature	Category of Amount
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Question 13 requires you to provide information on **each** source of income **IN EXCESS OF \$1,000** which was received by, or paid to, **you** or **your spouse** during 2010, except income you received from the New York State Legislature ("listed under item 2 above"). Remember to indicate any category of value. If you did not actually receive the income during 2010, but such income is owed to you, report that information in **Question 14**.

Please remember that "income" means aggregate net income before taxes from each source. "Aggregate net income before taxes" means gross receipts less all reasonable and necessary expenses. For example, to compute aggregate net income from real property rentals, reasonable and necessary expenses include interest expense, real property taxes and depreciation. For securities, you need to list the particular stock or similar interest which

has generated aggregate net income in excess of \$1,000. Do not offset losses from one stock or other investment against gains from another stock or investment. Only report income if the aggregate net income before taxes is in excess of \$1,000.

Under "source" you need to identify the name of each business from which you or your spouse received the income. For example, for bank interest income, you need to name each bank from which you received more than \$1,000 in interest income. For income from the sale or rental of real property, the source is the location (street and locality address) of the property, not the tenants' or purchasers' names. Do not disclose the names of tenants or purchasers.

Under "nature" of income you need to identify the type of income (bank interest, stock dividends, salary, etc.) received from that source.

Please note that this question may require you to report income that is not listed on your income tax return. Income includes payments received from a judgment, a pension plan, annuity, deferred compensation plan, profit-sharing plan, IRA, Keogh plan, and recognized gains from the sale of real property. "Recognized gain" refers to a gain recognized under the Internal Revenue Code. You do not need to include the following: receipt of maintenance, alimony, or child support; unemployment insurance benefits; workers compensation payments; governmental disability payments; social security benefits; death benefits; or public assistance benefits received by you, your spouse, or unemancipated children.

If you have nothing to report, indicate "not applicable."

QUESTION 14 - Deferred Income:

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

Source	Category of Amount
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This question asks you to report the source of income in excess of \$1,000 which is owed to you for work performed, but which will not be paid to you until after 2010.

You do not need to report those retirement or deferred income plans which are reported under **Question 11**. You do not need to report lag pay from the State of New York as deferred compensation.

If you have nothing to report, indicate "not applicable."

QUESTION 15 - Assignments:

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

Item Assigned or Transferred	Assigned or Transferred to	Category of Value
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This question asks you to report each assignment of income in excess of \$1,000. An "assignment" is a transfer of the right to such income to another. You must also report each transfer in excess of \$1,000 of an interest in a trust, estate, other benefit, securities, or real property in which the transfer is for less than fair market value. You do not need to report transfers of interests or income assignments to a relative.

If you have nothing to report, indicate "not applicable."

QUESTION 16 - Securities:

16. List below the type and market value of securities held by the reporting individual or such individual's spouse from each issuing entity in EXCESS of \$1,000 at the close of the taxable year last occurring prior to the date of filing, including the name of the issuing entity exclusive of securities held by the reporting individual issued by a professional corporation. Whenever an interest in securities exists through a beneficial interest in a trust, the securities held in such trust shall be listed ONLY IF the reporting individual has knowledge thereof except where the reporting individual or the reporting individual's spouse has transferred assets to such trust for his or her benefit in which event such securities shall be listed unless they are not ascertainable by the reporting individual because the trustee is under an obligation or has been instructed in writing not to disclose the contents of the trust to the reporting individual. Securities of which the reporting individual or the reporting individual's spouse is the owner of record but in which such individual or the reporting individual's spouse has no beneficial interest shall not be listed. Indicate percentage of ownership ONLY if the reporting person or the reporting person's spouse holds more than five percent (5%) of the stock of a corporation in which the stock is publicly traded or more than ten percent (10%) of the stock of a corporation in which the stock is NOT publicly traded. Also list securities owned for

investment purposes by a corporation more than fifty percent (50%) of the stock of which is owned or controlled by the reporting individual or such individual's spouse. For the purpose of this item the term "securities" shall mean mutual funds, bonds, mortgages, notes, obligations, warrants and stocks of any class, investment interests in limited or general partnerships and certificates of deposits (CDs) and such other evidences of indebtedness and certificates of interest as are usually referred to as securities. The market value for such securities shall be reported only if reasonably ascertainable and shall not be reported if the security is an interest in a general partnership that was listed in item 8(a) or if the security is corporate stock, NOT publicly traded, in a trade or business of a reporting individual or a reporting individual's spouse.

Self/ Spouse	Issuing Entity	Type of Security	Percentage of corporate stock owned or controlled (if more than 5% of publicly traded stock, or more than 10% of stock not publicly traded, is held)	Category of Market Value as of the close of the taxable year last occurring prior to the filing of this statement
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This question asks you to report your **or** your spouse's interest in a security with a fair market value of more than \$1,000 at the end of the tax year. Remember to indicate any category of value. Report only those securities having a value in excess of \$1,000 which you or your spouse **held on December 31, 2010**. You must identify the name of the issuing entity (corporation, etc.) whose securities you or your spouse held. You need to identify mutual or investment funds, including those held through the Individual Retirement Account ("IRA") but you do not need to list the individual securities held by such mutual funds. For partnerships or investment clubs, you need to report those securities where you or your spouse's name appears on the security document or certificate. You also need to list securities held for your benefit by a brokerage firm or nominee. You also do not need to report notes or mortgages held by you or your spouse which are made to a family member.

You may aggregate all similar types of securities from the same issuing entity and report the total value. For example, multiple bonds from the same issuing entity can be reported in the aggregate:

Self/ Spouse	Issuing Entity	Type of Security	% Owned	Category of Value
Self	Municipal Assistance Corp. of NY	Bonds	N/A	C
joint	Fidelity Contrafund	Mutual Fund	N/A	B
spouse	General Electric	Common Stock	N/A	A

If you need guidance on whether interests in more specialized security transactions (margin accounts, for example) are reportable, you may contact the commission for advice.

You do not need to list the serial number, issue year, or type of any bonds, if you indicate the issuing entity and the aggregate value of all bonds from that entity. Do not report U.S. savings bonds. You do not need to report a security interest in a co-op that is your primary or secondary residence, unless there is a co-owner who is not a relative. You do not need to report savings, checking, and money market accounts as securities.

If you have nothing to report, indicate "not applicable."

QUESTION 17 - Real Property:

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

Self/ Spouse/ Corpor- ation	Loca- tion	Size	Gener- al Nature	Acqui- sition Date	Percent- age of Owner- ship	Category of Market Value
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This question asks for information on real property interests held by you, your spouse, or a corporation in which you or your spouse own more than 50 percent of the stock. Remember to include any category of value. For partnerships, you need to report real property if your or your spouse's name appears on the deed. You need to report disclosable real property which was sold during the

reporting period, although you may indicate you no longer have an interest in the property. You need to identify real property owned by a corporation if you or your spouse is named as an owner on the deed or if it is property owned by a corporation of which more than 50 percent of the stock of the corporation was owned by you or your spouse during 2010.

You do not need to list the real property which is your primary or secondary residence unless there is a co-owner who is not a relative. You do not need to identify any co-owners. If you receive income from the property, even though the property is your primary or secondary residence, you may be required to report it under question 13.

Under "location" indicate the street and locality where the property exists. "Market value" means your good faith estimate of the fair market value of the entire property, not just your interest in the property. You are not required to obtain an appraisal.

If you have nothing to report, indicate "not applicable."

QUESTION 18 - Notes and Accounts Receivable:

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

Name of Debtor	Type of Obligation, Date Due, and Nature of Collateral, if any	Category of Amount
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This question asks you to report notes and accounts receivable in excess of \$1,000 that were owed to you **on December 31, 2010**. If you have nothing to report, indicate "not applicable." You do **not** need to report such notes or accounts receivable which are owed to you from a relative or those owed from the sale of goods or services. You do not need to report loans from you to your own campaign fund. You do not need to duplicate information previously reported under question 14.

"Other debts owed to you" includes uncollected judgments or obligations which may not be in writing.

QUESTION 19 - Liabilities:

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

Name of Creditor or Guarantor	Type of Liability and Collateral, if any	Category of Amount
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This question asks you to identify each liability you and your spouse owe in **excess of \$5,000 as of the date of filing this statement**. Liabilities include borrowing against your insurance policy. You must also report any credit cards with a balance in excess of \$5,000 unless the balance would be less than \$5,000 if you subtracted the charges for the items excluded below. If you have nothing to report, indicate "not applicable."

Do not report:

- maintenance paid in connection with a matrimonial action, alimony, or child support;
- loans, including home equity loans, issued in the ordinary course of business by a financial institution for educational costs, home purchase, or improvements to a primary or secondary residence, purchase of a personal automobile, or household furniture or appliances;
- liabilities to a relative or those incurred in the ordinary course of your or your spouse's trade, business, or professional practice; or,
- liabilities between principals of a business for the purpose of promoting the business enterprise.
- loans from your Public Employees Retirement account ("PERS");

- automobile, house or apartment leases;
- loans which are reportable by your campaign account.

If you have reportable liabilities, remember to indicate any category of value.

REVIEW OF THE STATEMENT AND PENALTIES

The Legislative Ethics Commission reviews each statement for compliance with the disclosure requirements. If the statement appears to be unclear or incomplete, the commission will notify you and provide you a due date to amend the statement.

The law provides that an individual, who knowingly and willfully fails to file an Annual Statement of Financial Disclosure or who knowingly and willfully with intent to deceive makes a false statement or gives information which such individual knows to be false on such Statement of Financial Disclosure, shall be subject to a civil penalty in an amount not to exceed forty thousand dollars. Assessment of a civil penalty shall be made by the commission with respect to persons subject to its jurisdiction.

The Legislative Ethics Commission may, in lieu of a civil penalty, refer a violation to the appropriate prosecutor and upon such conviction, but only after such referral, such violation shall be punishable as a class A misdemeanor. A civil penalty for false filing may not be imposed in the event a category of "value" or "amount" reported is incorrect unless such reported information is falsely understated. Notwithstanding any other provision of law to the contrary, no other penalty, civil or criminal, may be imposed for a failure to file or for a false filing of such statement except that the appointing authority may impose disciplinary action as otherwise provided by law.
