

The City of York, Pennsylvania

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Dianna L. Thompson, City Clerk
Email: dthomps@yorkcity.org

January 15, 2009

Dear Public Official / Public Employee:

Pursuant to the provisions of the *Public Official and Employee Ethics Act*, "Ethics Act", Act 93 of 1998, Chapter 11, 65 Pa. C.S. §1101, et seq., all persons elected to public offices, incumbents seeking re-election, current or former public employees and public officials of the City of York, and members of boards (including pension board), authorities or commissions, except those that are advisory, must fill out a Statement of Financial Interest Form ("form"). Therefore, this notice is being sent as a courtesy to inform you of your responsibility pursuant to the "Ethics Act".

Attached to this letter is an information page to help you determine whether you feel you meet the qualifications to file this form (pages 2-4). If you meet the qualifications, this form must be completed to cover the prior year (**2008**) reporting period and must be received in the Office of the City Clerk no later than **May 1, 2009**. You may email your completed form to me at dthomps@yorkcity.org or fax to me at (717) 849-2329 or send through interoffice, or regular mail at the address provided on this letterhead. You may obtain a form [here](#) or you may use the links provided below:

Easy to use fill-in form and instructions may be obtained using the following links:

Who Must File: <http://www.ethics.state.pa.us/ethics/cwp/view.asp?a=3&Q=77213>

Online Fill-in form: <http://www.ethics.state.pa.us/ethics/lib/ethics/SEC-1.pdf>

You may also obtain copies of this form at City Hall, 50 W. King St., York, PA or the City Clerk's Office, 1 Marketway West, 3rd Floor, York, PA.

This information will remain on file in my office for public inspection as required by the Public Official and Employee Ethics Act.

Department Heads please notify employees who do not have email about this notice.

Sincerely,

Dianna L. Thompson

Dianna L. Thompson
City Clerk

Filing a Statement of Financial Interests

The Public Official and Employee Ethics Act require public officials, public employees, candidates, and nominees to file statements of their personal financial interests.

Who Must File

All "public employees" defined as individuals employed by the Commonwealth or by a political subdivision who are responsible for taking or recommending official non-ministerial (requiring judgment and discretion) action concerning contracting or procurement; administering or monitoring grants or subsidies; planning or zoning; inspecting, licensing, regulating or auditing any person; or any other activity where the official action has an economic impact of greater than a de minimis nature on the interests of any person.

- Gubernatorial nominees who need Senate confirmation.
- State, county, and local level nominees.
- Candidates for state, county, and local public office.
- Elected state, county, and local public officials.
- Appointed state, county, and local public officials who have the authority to expend public funds or otherwise exercise the power of the state or a political subdivision.
- Persons who serve as full-time or part-time solicitors.

NOTE: Public officials shall not include members of advisory boards having no authority to expend public funds or to otherwise exercise the power of the state or a political subdivision.

Where to File

- Employees of the Commonwealth file **ONLY** with their respective agency, department, or bureau personnel office.
- Employees of county and local political subdivisions file **ONLY** with the governing authority of their political subdivision.
- Incumbent county and local public officials (who are NOT candidates) including authority members file **ONLY** with the governing authority of their political subdivision.
- Incumbent Commonwealth **Executive Branch public officials and appointed members of boards and commissions** file with the State Ethics Commission, Governor's Office of Administration, **AND** with the department, agency, board or commission to which they are appointed.
- Incumbent Commonwealth **Legislative Branch public officials** file with the State Ethics Commission **AND** the Chief Clerk of the House of Representatives or the Secretary of the Senate, whichever applies.
- Incumbent Commonwealth public officials of **independent state agencies** file with the State Ethics Commission **AND** with the agency with which they are associated.
- Constables file with the State Ethics Commission.
- Gubernatorial and state-level nominees file with the State Ethics Commission **AND** with the Senate Caucus Secretary in charge of executive nominations.

- County and local-level nominees file with the governing authority of the political subdivision and, if different, with the official or body vested with the power of confirmation.
- Candidates for a state-level public office file with the State Ethics Commission **AND** append a copy to the petition to appear on the ballot.
- Candidates for county and local-level public office file with the governing authority of the political subdivision in which they are candidates **AND** append a copy to the petition to appear on the ballot.
- Write-in candidates (including winners) not seeking office through the nomination petition process shall file **ONLY** with the governing authority of the political subdivision as to a county or local-level office **OR** with the State Ethics Commission **ONLY** as to a state-level office.

When to File

- Nominees file **no later than 10 days** before confirmation.
- Public employees and public officials who are not candidates file **no later than May 1** of each year a position is held and the year after leaving a position.
- Officials appointed between January 1 and May 1 file **no later than May 1**.
- Officials appointed after May 1 file by May 1 of the following year.
- Candidates file on or before the last day for filing a petition to appear on the ballot for election.
- Write-in winners of nominations or elections shall file within 30 days of having been nominated or elected unless such person declines the nomination or elected office within that period of time.

NOTE: Only one Statement of Financial Interests is required for each year. If multiple positions are held, all such positions may be listed on the same form. A copy of the form must be filed at all of the filing locations that are required for each of the positions sought/held.

What to File

Filers are required to disclose financial information concerning the prior calendar year. No dollar amounts are required for any of these items except for gifts and certain reportable expense payments/reimbursements. The information pertains only to the filer and includes:

- The name, address(work or residence), public position, and the public positions sought or held by the filer.
- The occupation or profession of the filer.
- Real estate interests in which the Commonwealth or a political subdivision is involved.
- Creditors owed in excess of \$6,500 and the interest rate thereon except those relating to the principal or secondary residence of the filer. Loans extended between members of the immediate family need not be listed.
- Sources of income totaling \$1,300 or more which includes employers, payments, fees, salaries, expenses, allowances, forbearances, any forgiveness, interest, dividends, royalties, rents, capital gains, rewards, severance payments, prize winnings, and tax exempt income. This **does not include** gifts, governmentally mandated payments, or retirement, pension or annuity payments funded totally by contributions of the official/employee.

NOTE: The governmental body which the filer serves must be listed if income in excess of \$1,300 has been received.

- Sources and values of gifts of \$250 or more in the aggregate and the circumstances thereof. Gifts from family members and friends are exempt.

NOTE: For purposes of reporting gifts under the Act, the term "friend" does not include a registered lobbyist or employee thereof.

- The name and address of each source and the amount of each payment/reimbursement by the source for transportation, lodging or hospitality that the filer received in connection with the public position if the aggregate amount of such payments/reimbursements by the source exceeds \$650 for the calendar year for which the filer is reporting. Such reimbursements by a governmental body, or by an organization/association of public officials/employees of political subdivisions that the filer serves in an official capacity, are exempt.
- Any office, directorship, or employment of any nature whatsoever in any business entity.
- Any financial interest in any legal entity engaged in business for profit. (More than a 5% interest in a business entity is considered a financial interest).
- Identity of any financial interest in a business, which has been transferred to a member of the filer's immediate family (parent, spouse, child, brother, sister) during the prior calendar year.

Where to Obtain Forms

Statement of Financial Interests forms may be obtained from the County Board of Election Offices, local political subdivisions, the State Ethics Commission, and other sources announced at the time of distribution. Such forms may also be printed from this website.

Penalty for Failure to File

- Any person who is required to file a Statement of Financial Interests and fails to do so properly may be found guilty of a misdemeanor and upon conviction may be fined not more than \$1,000 and/or imprisoned for not more than one year.
- The failure of a candidate to properly file shall be a fatal defect to a petition to appear on the ballot.
- No public official shall be allowed to take the oath of office, enter or continue upon his duties, or be compensated from public funds unless such statement has been filed as required by the Ethics Act.
- Any public official, public employee, candidate, nominee, or solicitor who is required to file a statement and does not do so or who files a deficient statement may in addition to any other civil remedy or criminal penalty under the Ethics Act, be penalized no more than \$25 per day for each day said statement is delinquent or deficient, up to \$250.

Public Inspection

Statements of Financial Interests on file with the State Ethics Commission are available for public inspection and copying between the hours of 8:00 a.m. and 5:00 p.m. (ET), Monday through Friday (excluding legal holidays). There is a charge of 25¢ per page. All Statements of Financial Interests must be made available for public inspection and copying during regular office hours and copy facilities must be made available at an amount not to exceed actual cost.]

For more information contact:

State Ethics Commission
 309 Finance Bldg
 PO BOX 11470
 Harrisburg, PA 17108
 Phone: 717-783-1610 / Fax: 717-787-0806