

*Annual Report
to the
Florida Legislature
for Calendar Year 2003*



*By the
State of Florida
Commission on Ethics*

Table of Contents

CHAIRMAN’S MESSAGE	iii
2003 COMMISSION MEMBERS.....	1
INTRODUCTION & HISTORY	2
ORGANIZATION.....	4
Ethics Commission Staff	4
FISCAL REPORT.....	7
OPERATIONS.....	8
Complaints	8
Executive Branch Lobbyist Registration	12
Advisory Opinions	13
Education.....	14
Financial Disclosure	16

Chairman's Message

 consider my tenure as Chairman of the Florida Commission on Ethics to have been both an honor and a privilege. The opportunity to serve the people of Florida is one to be cherished and I have enjoyed the opportunity to serve with eight of our State's most distinguished citizens – my fellow Commissioners. While the workload is daunting for a non-compensated position, that is offset by the opportunity to actually “make a difference” and working with the Commission's outstanding staff has made the job a pleasure.

In addition to its historical deliberations on complaints, legal opinions, and executive branch lobbying report appeals, the Commission continues to be burdened by the overwhelming number of appeals of automatic penalties for failure to file financial disclosure. The Commission adjudicated over 500 such appeals during the past year. While a mechanism is needed to encourage compliance, the current fine threshold and standard for penalty waiver or reduction merit revisiting by the Legislature. The Commission also is stepping up its efforts to communicate to government agencies the importance of noticing persons subject to disclosure, of providing up-to-date information to the Commission, and to exercise the law's local option with restraint. It is believed that requiring too many persons to file disclosures and fining minor officials who fail to file discourages public service.

It is my hope that review of this report will assure you that the Commission on Ethics assiduously endeavors to fulfill its statutory mandate. We have made great strides in education by developing an internet training course in ethics and have perfected our computerized operations for tracking complaint activity and financial disclosure

notification. Staff participates in meetings and conferences in an effort to make the public and public officials aware of the State's ethics requirements, and individual Commissioners have contributed their time not only to Commission meetings, but also to legislative lobbying and meeting with other State agencies on behalf of Commission interests, not only in Tallahassee but around the State. We have added substantially to our website and invite you to visit it at www.ethics.state.fl.us.

I thank the President of the Senate and the Speaker of the House for their continuing support. We stand ready and willing to respond to any questions or suggestions from members of the Legislature.

Respectfully submitted,

Richard L. Spears
Chairman

2003 Commission Members

RICHARD SPEARS, *Chair*

Orlando - Retired Business Executive

Term expires June 2004

Reappointed by Speaker of the House Feeney (R)

PATRICK K. NEAL

Bradenton - Home Builder

Term expires June 2004

Reappointed by Senate President McKay (R)

CAROL A. LICKO

Miami - Attorney

Term expires June 2004

Reappointed by Speaker of the House Feeney (D)

PETER ANTONACCI

Tallahassee - Attorney

Term expires June 2005

Appointed by Governor Bush (D)

JOHN A. GRANT, JR.

Tampa - Attorney

Partial term expires June 2005

Appointed by Governor Bush (R)

JOEL K. GUSTAFSON, *Vice-Chair*

Ft. Lauderdale - Attorney

Term expires June 2005

Appointed by Governor Bush (R)

MALLORY HORNE

Tallahassee - Attorney

Term expires June 2004

Appointed by Senate President McKay (D)

KURT D. JONES

Pensacola - Physician

Term expires June 2004

Appointed by Governor Bush (D)

JOHN LINSTROTH

West Palm Beach - Community Builder

Term expires June 2005

Appointed by Governor Bush (R)

Introduction & History

Section 112.322 (8), Florida Statutes, requires the Florida Commission on Ethics to “submit to the Legislature from time to time a report of its work and recommendations for legislation deemed necessary to improve the code of ethics and its enforcement.” This report has been provided to the Legislature on an annual basis since 1974. The publication of this document is intended to inform the Legislature and the public of the Commission’s work during the calendar year 2003.

Florida has been a leader among the states in establishing ethics standards for public officials and recognizing the right of her people to protect the public trust against abuse. In 1967, the Legislature enacted “a code of ethics setting forth standards of conduct to be observed by state officers and employees in the performance of their official duties.” Chapter 67-469, Laws of Florida, declared it to be the policy of the Legislature that no state officer or employee, or member or employee of the Legislature, should have any direct or indirect business or professional interest that would “conflict with the proper discharge of his duties in the public interest.” The code was amended to be applicable to officers and employees of political subdivisions of the state in 1969 (Chapter 69-335, Laws of Florida). Five years later, the Florida Commission on Ethics was statutorily created by Chapter 74-176, Laws of Florida (now Part III, Chapter 112, Florida Statutes), to “serve as guardian of the standards of conduct for the officers and employees of the state, and of a county, city, or other political subdivision of the state....”

In late 1975 and 1976, Governor Reubin Askew led an initiative petition drive to amend the Constitution to provide more stringent requirements relating to ethics in government and to require certain public officials and candidates to file full and public disclosure of their financial interests and their campaign finances. The voters in Florida overwhelmingly approved this measure in the 1976 General Election, and the “Sunshine Amendment,” Article II, Section 8, Florida Constitution, became part of the Constitution on January 4, 1977. The Amendment declares: “A public office is a public trust. The

people shall have the right to secure and sustain that trust against abuse.” The Constitution provides for investigations of complaints concerning breaches of the public trust and provides that the Florida Commission on Ethics be the independent commission to conduct these investigations.

The “Code of Ethics for Public Officers and Employees” adopted by the Legislature is found in Chapter 112 (Part III) of the Florida Statutes. Foremost among the goals of the Code is to promote the public interest and maintain the respect of the people in their government. The Code is intended to ensure that public officials conduct themselves independently and impartially, not using their offices for private gain other than compensation provided by law. While seeking to protect the integrity of government, the Code also seeks to avoid the creation of unnecessary barriers to public service. Criminal penalties which initially applied to violations of the Code were eliminated in 1974 in favor of administrative enforcement.

Duties statutorily assigned to the Commission on Ethics include investigating sworn complaints alleging violations of the ethics laws, making penalty recommendations for violations, maintaining a financial disclosure notification system totaling 35,407 reporting officials and employees this past year, and issuing advisory opinions regarding Part III of Chapter 112, Florida Statutes, and Article II, Section 8, Florida Constitution. The Commission also is charged with administering the Executive Branch Lobby Registration System and Trust Fund which provides for registration of all cabinet and executive agency lobbyists.

Organization

The Commission on Ethics is a non-paid, appointive body consisting of nine members, none of whom may hold any public employment. Five of the members are appointed by the Governor and confirmed by the Senate. No more than three of the Governor's appointees may be of the same political party, and one must be a former city or county official. The Speaker of the House of Representatives and the President of the Senate each make two appointments to the Commission on Ethics. The two appointments must be persons with different political party affiliations. The appointees of the President and Speaker are not subject to Senate confirmation. Any member of the Commission on Ethics may be removed for cause by a majority vote of the Governor, the President of the Senate, the Speaker of the House and the Chief Justice of the Florida Supreme Court.

Members of the Commission on Ethics serve two-year terms and may not serve more than two full terms in succession. A chairman and vice-chairman are selected by the members for one-year terms. Members of the Commission do not receive a salary but do receive reimbursement for travel and per diem expenses while on official Commission business.

Ethics Commission Staff

Legal, investigative, and administrative functions of the Commission are performed by staff, consisting of 22½ full-time equivalent positions.

Bonnie J. Williams, Executive Director

Philip C. Claypool, Deputy Executive Director
and General Counsel

Legal Section

C. Christopher Anderson, III, Attorney

Julia Cobb Costas, Attorney

Virlindia A. Doss, Attorney

Millie Fulford, Executive Secretary

Public Information Section

Under the supervision of the Executive Director, the public information section provides information regarding Commission practices and procedures to other states, the press, and the public. This staff member also responds to general information inquiries about the Commission and the ethics laws.

Public Information Staff

Helen K. Jones, Public Information and Education

Investigative Section

The investigative staff, also supervised by the Executive Director, conducts investigations of violations of the ethics laws and writes narrative investigative reports. The Complaint Coordinator serves as the liaison between the Commission and the Complainant and Respondent and is responsible for maintaining the complaint tracking system and files, as the official Clerk of the Commission.

Investigative Staff

Robert G. Malone, Senior Investigator

Wayne V. Maxwell, Investigator

Ronald D. Moalli, Investigator

A. Keith Powell, Investigator

Tom W. Reaves, Investigator

K. Travis Wade, Investigator

Kaye B. Starling, Complaint Coordinator

Financial Disclosure Section

The Program Manager, under the supervision of the Deputy Executive Director, responds to questions about the disclosure laws and compiles a list of the persons statewide who are required to file either Form 1 or Form 6 financial disclosure. These 35,407 reporting officials and employees were notified of their filing requirements in 2003 by the Commission on Ethics and Supervisors of Elections.

Financial Disclosure Staff

Shirley A. Taylor, Program Manager

Kimberly Holmes, Administrative Assistant

Lynn Colbert, Executive Secretary (half-time)

Erin O'Connor, Executive Secretary (half-time)

Chandra Manning, Clerk

Administrative and Clerical Section

Under the supervision of the Executive Director, the administrative section provides administrative and clerical support services to the Commissioners and staff.

Administrative and Clerical Staff

Kerrie J. Stillman, Assistant to the Executive Director

Frances Craft, Officer Manager

Barbara W. Miller, Receptionist

Saralynn Brown, Clerk (half-time)

Rebecca Sutton, Clerk (half-time)

Dianne Ebersole, Clerk (half-time)

Fiscal Report

The following chart reflects revenues, expenditures, and changes in fund balances for the fiscal year ending June 30, 2003.

FLORIDA COMMISSION ON ETHICS
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES

BUDGET AND ACTUAL - GENERAL REVENUE FUNDS
For The Fiscal Year Ending June 30, 2003
(Amounts in dollars)

	<u>Budget</u>	<u>Actual</u>	<u>Variance - Favorable (Unfavorable)</u>
REVENUES:			
Released General Revenue	2,106,358	2,106,358	0
Appropriations			
Fines	0	86,025	86,025
Miscellaneous Receipts	2,500	2,359	(141)
Total Revenues	2,108,858	2,194,742	85,884
EXPENDITURES:			
Salaries and Related Benefits	1,442,174	1,394,738	47,436
Other Personal Services	309,000	309,000	0
Expenses	316,926	402,810	(85,884)
Operating Capital Outlay	14,000	6,465	7,535
Transfers to Administrative Hearings	26,758	26,758	0
Total Expenditures	2,108,858	2,139,771	(30,913)
Excess of Revenues over Expenditures	0	54,971	<u>54,971</u>
Budgetary Fund Balances June 30, 2003		<u>54,971</u>	

EXECUTIVE BRANCH LOBBYIST REGISTRATION SUMMARY

FEES REVENUES: \$120,200

FINES: \$9,945

Operations

The major operational functions of the Commission on Ethics are the investigation of complaints, management of the Executive Branch Lobbyist Registration Act, issuance of advisory opinions, provision of public information and education, and financial disclosure administration. The information below is offered to provide a profile of the Commission's workload.

Complaints

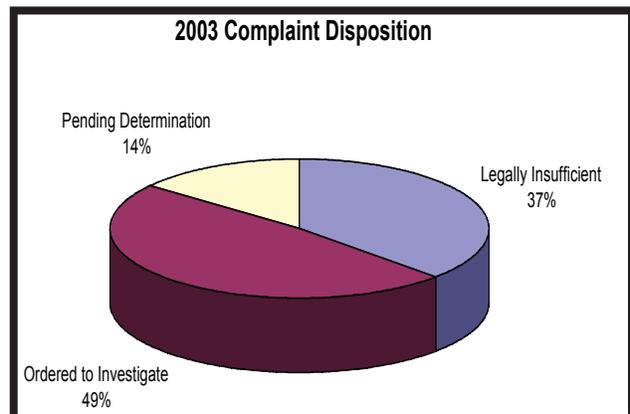
Statistical Summary of Complaints Filed

January 1, 2003 through December 31, 2003

Total number of complaints filed in 2003 209

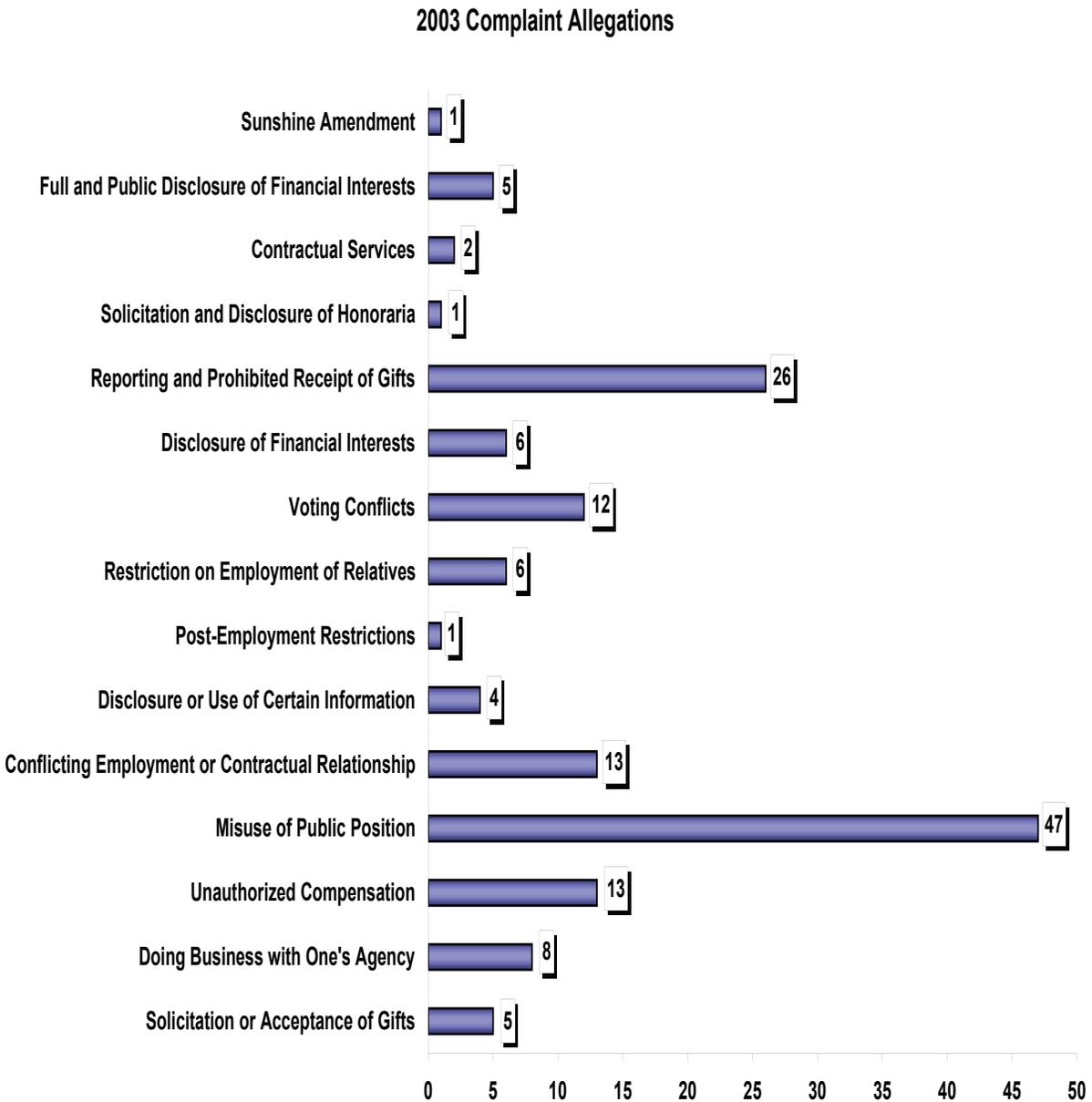
POSITION	NUMBER OF COMPLAINTS	PERCENT OF TOTAL
State Elected Officers	16	8%
State Appointed Officers	7	3%
State Employees	7	3%
District Elected Officers	13	6%
District Appointed Officers	12	6%
District Employees	9	4%
County Elected Officers	44	21%
County Appointed Officers	3	1%
County Employees	8	4%
Municipal Elected Officers	60	29%
Municipal Appointed Officers	8	4%
Municipal Employees	22	11%
TOTAL	209	100%

Of the 209 complaints received in 2003, 78 were dismissed for lack of legal sufficiency; 101 were ordered to be investigated; and 30 were pending legal sufficiency determination at the end of the calendar year.



Allegations

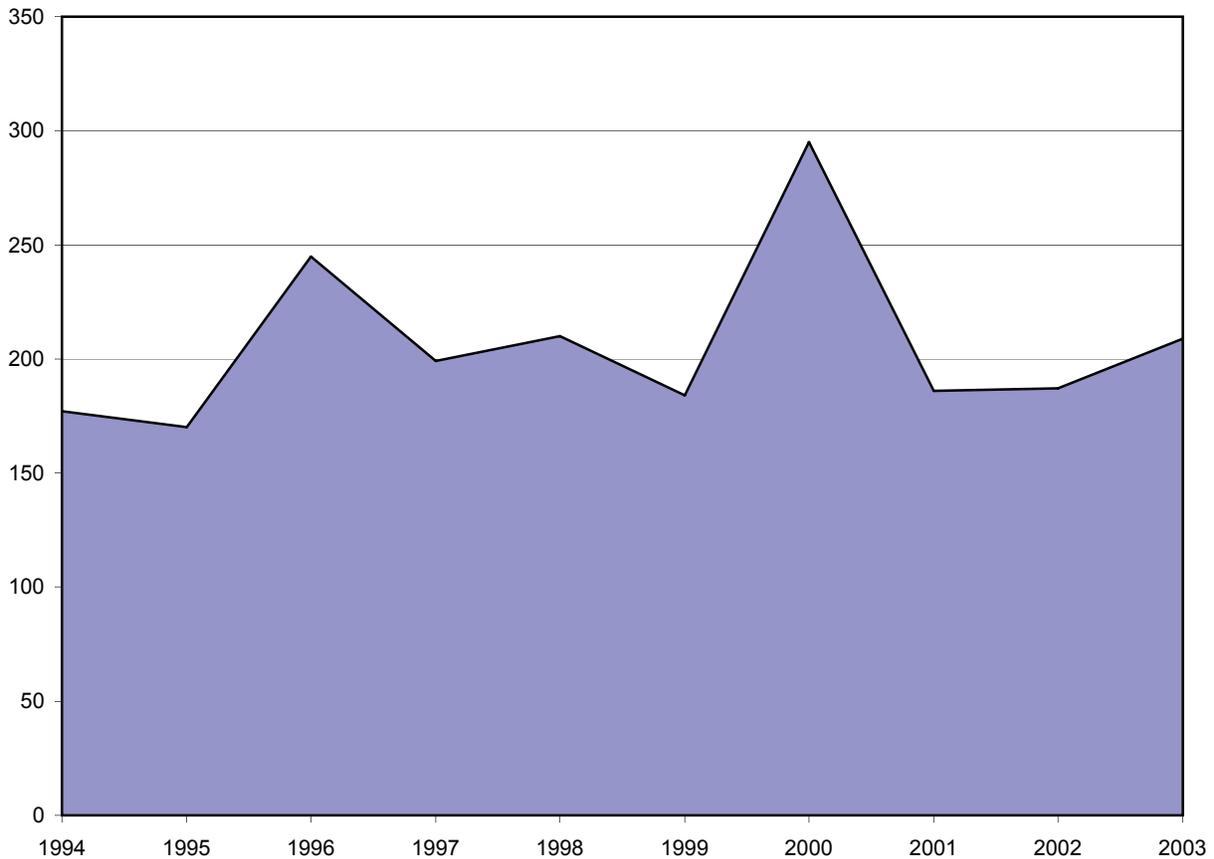
Of the 209 complaints received in 2003, the Commission's Executive Director ordered an investigation of 101 complaints as of December 31, 2003. A breakdown of the allegations made in complaints found sufficient for investigation is illustrated below.



Ten Year History of Complaints

2003	209
2002.....	187
2001.....	186
2000	295
1999	184
1998	210
1997.....	199
1996	245
1995	170
1994	177

Complaint History



Actions Taken on Complaints in 2003

In addition to handling the 209 new complaints received in 2003, the Commission also took action during its eight regularly-scheduled Commission meetings on complaints filed in previous years. The following is a summary of action taken in 2003 on all active complaints.

Dismissed for lack of legal sufficiency	85
Probable cause hearings held	68
No probable cause - dismissed	47
Probable cause - pending public hearing or stipulation	17
Probable cause - no further action	4
Public hearings at Division of Administrative Hearings	3
Violation found	2
No violation found	1
Stipulated settlement agreements - violation found	15
Informal hearing.....	1
Costs and attorney's fees petitions - stipulation	1
Dismissed on motion by Advocate - RUDD Amendment*	2
TOTAL NUMBER OF ACTIONS TAKEN ON COMPLAINTS . . .	175

*Public interest not served by further proceedings.

Executive Branch Lobbyist Registration

The Commission is charged with administration of the Executive Branch Lobby Registration Act and oversees the registration and expenditure report filings of executive branch lobbyists.

Executive branch lobbyists are required to file biannual expenditure reports whether or not reportable expenditures were made during the period. Penalties for failure to file these biannual reports by the deadline date are automatic and accrue at \$50 per report for each day late, with a maximum penalty of \$5,000 per report.

Each lobbyist may receive a one-time fine waiver if he or she files the report within 30 days after being notified of the failure to file. Otherwise, the lobbyist is assessed a fine at the time he or she files the delinquent report(s). If an appeal is filed within 30 days after the registrant is noticed of the assessed fine, the Commission has the authority to waive the assessed fines in whole or in part for good cause, based on unusual circumstances.

2003 Summary of Activity

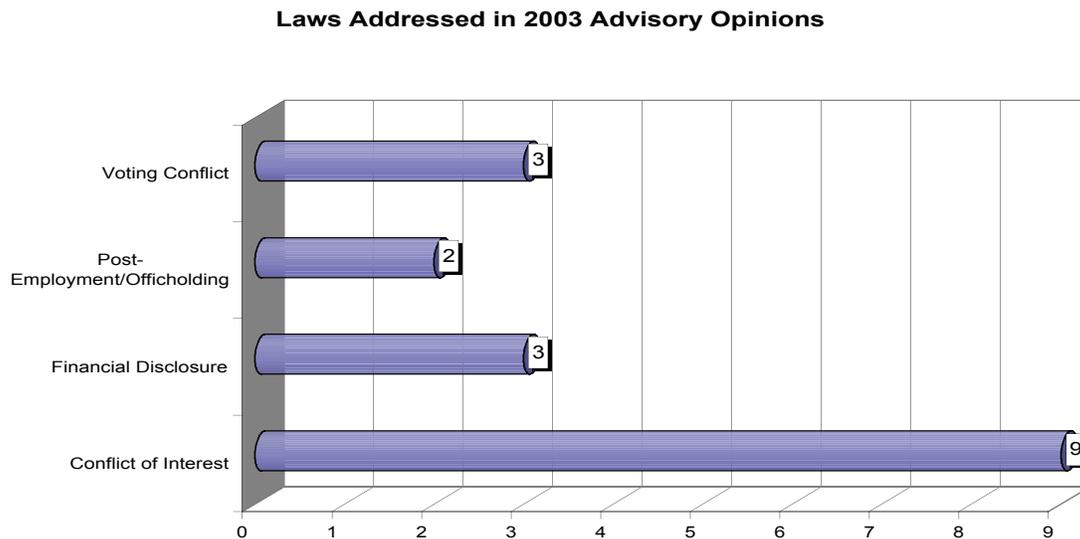
Total number of executive branch lobbyist registrants	1,326
Total number of principals represented by the registrants	5,103
Percent increase in number of principals from 2002 to 2003	21%
Total number of registrants delinquent in filing their expenditure reports	
First Semi-Annual Period of 2003	51
Second Semi-Annual Period of 2002	59
(Filings for the Second Period of 2003 are due February 13, 2004.)	
Total number of registrants assessed a fine in 2003	
First Semi-Annual Period of 2003	11
Second Semi-Annual Period of 2002 (assessed in February 2003)	25
Number of appeals considered by the Commission in 2003	1
Action taken on appeals in 2003:	
Number of Fine Appeals Granted by the Commission	1
Number of Fine Appeals Reduced by the Commission	2
Number of Fine Appeals Denied by the Commission	5

Advisory Opinions

The Commission issues advisory opinions to public officers, candidates, and public employees who are in doubt about the applicability of the standards of conduct or disclosure laws to themselves or to anyone they have the power to hire or terminate. During 2003, the Commission on Ethics issued 17 advisory opinions, bringing the total issued since 1974 to 2,299.

Ten of the opinions rendered in 2003 were in response to requests by local officers, employees, or local government attorneys, and seven of the opinions were issued regarding state level officers or employees.

Of the seventeen total opinions rendered, post-employment/post-officeholding questions were addressed in two opinions; conflict of interest questions were addressed in nine; voting conflicts in three; and financial disclosure in three. Some opinions addressed more than one provision of law.



The Commission continues to provide upon request a Digest of Advisory Opinions. Printed volumes of full opinions also are available at cost by writing the Commission. Published opinions may be obtained at a cost of \$4.00 per year (for opinions through 1999). Binders for these loose-leaf opinions are available for purchase at a cost of \$4.00 each.

Commission advisory opinions also can be accessed and researched on our website: <http://www.ethics.state.fl.us>.

Education

As part of its public mission, the Commission feels that it is vital to educate public officers and employees regarding the standards of conduct and financial disclosure requirements of the Code of Ethics. Whenever possible, as personnel and resources are available, the Commission staff conducts training for public officials throughout the state. Articles written by members of the Commission's staff were published in the Florida Bar's Government Lawyer Section newsletter and the *Florida Counties* magazine.

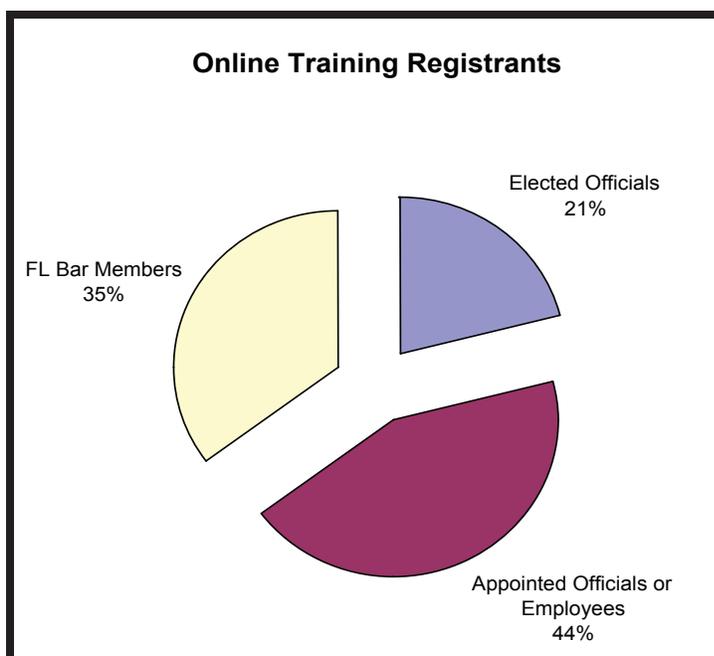
Speaking Engagements

- Judicial Nominating Commission
- League of Professional Lobbyists
- General Counsel Section of the Florida Bar
- Florida Association of Court Clerks
- City of Coral Gables' Board and Committee Members
- Public Employment Labor Relations Forum
- City of Jacksonville
- Florida Academy of Healthcare Attorneys
- Tax Collector Certification Course
- State Commission on Marriage & Family
- State Technology Office
- Florida American Legion Boys State
- State & Local Governmental Accounting Conference
- Florida Tax Collectors' Fall Conference
- State Board of Administration
- Palm Beach County Clerks Association
- Florida Association of County Attorneys
- Florida Counties Foundation
- State Inspectors General
- Florida Association of Property Appraisers
- Police Officers' & Firefighters' Pension Trustees' Conference
- Supervisors of Elections
- Office of the Governor, Citizen Services
- Florida School Board Attorneys Association
- City, County & Local Government Law Section's Certification Exam Review

Online Training

In Section 13 of Chapter 200-243, Laws of Florida, the Florida Legislature directed the Commission on Ethics to develop a plan for implementation of a study course on the Code of Ethics, public records, and public meeting laws. The course was to be made available for free to each elected public officer in the State (of which there are approximately 10,000), as well as to each person appointed to hold elective office. Appointed officials, employees and others may take the course at a cost of \$15.

Faced with the challenge of reaching as many people as possible with meaningful training, the Ethics Commission sought the advice of The Florida Institute of Government at Florida State University concerning how best to develop such a comprehensive course. The Insitute proposed that it contract through the University with a private company to develop an Internet-based study. Staff of the Ethics Commission and Attorney General's office provided the company with guidance and written materials on the pertinent subject areas. The resulting course contains interactive elements, "Frequently Asked Questions," as well as testing for review purposes and tracking. It has the added advantage of being easily amended when changes in the law occur. The course is currently available via the Commission's website (<http://www.ethics.state.fl.us>) or by visiting: <http://www.iog.learnsomething.com>.



In 2003, 332 individuals registered for the online training course, with 327 completing the training by the end of the year. Of the registrants, 75 were elected officials, 144 were appointed officials or employees, and 113 of the registrants were members of the Florida Bar. A total of 695 public officers and employees have completed the course since its inception in 2002.

Financial Disclosure

The Florida Commission on Ethics is required by statute to compile an annual mailing list of elected and appointed officials and employees subject to filing annual financial disclosure.

Section 112.3144(3), Florida Statutes, applies to persons subject to the annual filing of full and public disclosure under Section 8, Article II of the State Constitution, or other state law. These individuals file Commission on Ethics Form 6, Full and Public Disclosure of Financial Interests.

Section 112.3145(6), Florida Statutes, applies to local officers, state officers, and specified state employees subject to the annual filing of a more limited statement of financial interests. These individuals file Commission on Ethics Form 1, Statement of Financial Interests.

The deadline for filing disclosure is July 1 of each year. A grace period is provided until September 1st of each year. The Commission on Ethics and Supervisors of Elections are required to certify after that time the names and positions held by persons who fail to file by the end of the grace period.

Because of recent changes in the financial disclosure laws, only those with the most meaningful positions are required to file annual disclosure. Those who did not file their annual disclosure form (either Form 6 or Form 1) by September 2, 2003, were subject to automatic fines of \$25 for each late day, up to a maximum of \$1,500. Modeled after the automatic fine system in place for campaign finance reports, the law allows the Ethics Commission to hear appeals and to waive fines under limited circumstances. Information on the following pages reflect compliance rates and disposition of appeals.

Compliance

There was a 97% overall compliance with the annual reporting requirement in 2003. This represents a 2% decrease in overall compliance, compared to the 99% overall compliance in 2002, and a 5% increase since the inception of the automatic penalties in 2000. On the local level, 27 counties reported 100% compliance in 2003.

The following table reflects on a county-by-county basis the number of officials and employees subject to disclosure, the number delinquent as of September 2, 2003, the percentages of compliance, and comparable percentages from the previous year. Also listed is a chart which outlines filing compliance from 1984 to present.

FINANCIAL DISCLOSURE COMPLIANCE FIGURES				
County	# of Individuals Required to File	# of Delinquent Filers	2003 Compliance Rate¹	2002 Compliance Rate²
Alachua	325	12	96%	98%
Baker	56	0	100%	100%
Bay	314	4	99%	99%
Bradford	83	0	100%	100%
Brevard	958	35	96%	94%
Broward	2313	59	97%	96%
Calhoun	30	0	100%	100%
Charlotte	176	0	100%	96%
Citrus	152	2	99%	100%
Clay	188	1	99%	97%
Collier	316	0	100%	100%
Columbia	84	0	100%	100%
Dade	1568	134	91%	87%
Desoto	61	2	97%	100%
Dixie	42	0	100%	100%
Duval	346	4	99%	98%
Escambia	150	0	100%	99%
Flagler	159	6	96%	91%
Franklin	74	0	100%	100%
Gadsden	145	7	95%	91%
Gilchrist	49	0	100%	100%
Glades	52	0	100%	100%
Gulf	50	0	100%	100%
Hamilton	67	2	97%	100%
Hardee	78	0	100%	100%
Hendry	107	0	100%	100%
Hernando	99	1	99%	99%
Highlands	184	0	100%	98%
Hillsborough	729	38	95%	95%
Holmes	83	1	99%	99%
Indian River	245	2	99%	90%
Jackson	180	0	100%	100%
Jefferson	35	1	97%	84%
Lafayette	20	0	100%	100%
Lake	478	1	100%	98%
Lee	998	31	97%	95%
Leon	178	6	97%	95%
Levy	139	7	95%	97%
Liberty	16	0	100%	100%
Madison	82	0	100%	97%
Manatee	427	10	98%	96%
Marion	238	18	92%	95%
Martin	207	0	100%	97%
Monroe	187	2	99%	100%
Nassau	142	0	100%	87%
Okaloosa	353	7	98%	89%
Okeechobee	93	0	100%	99%

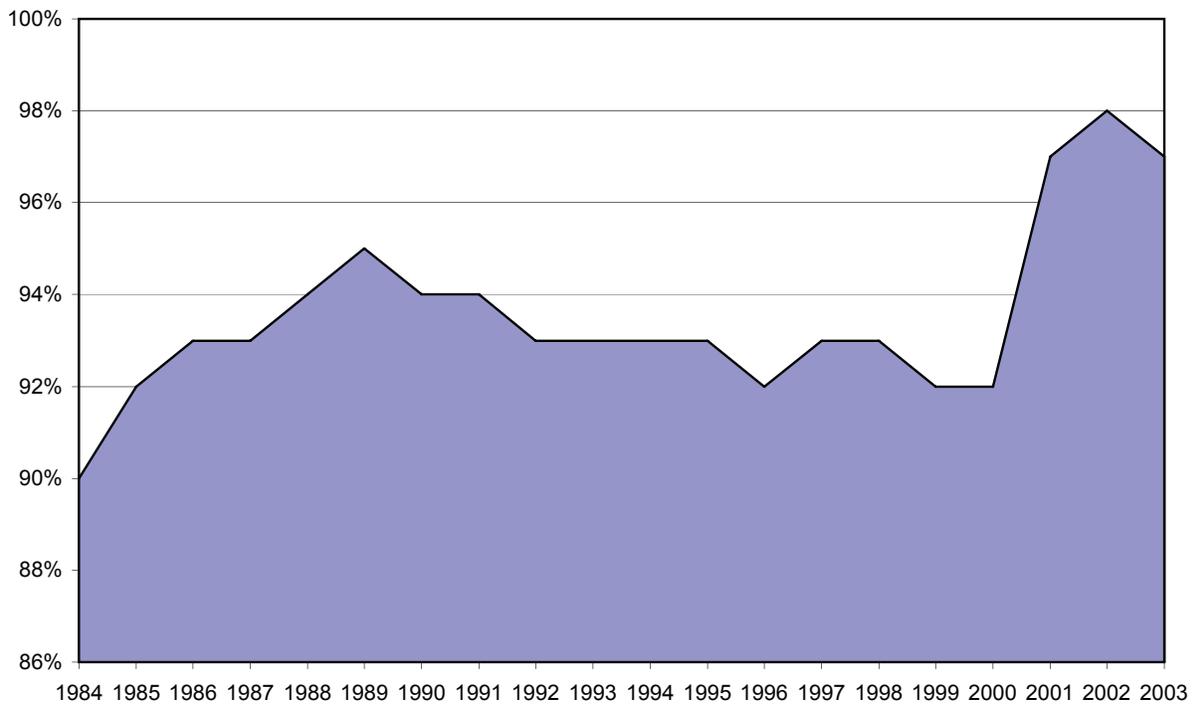
FINANCIAL DISCLOSURE COMPLIANCE FIGURES				
County	Number of Individuals	Number of Delinquent	2003 Compliance Rate¹	2002 Compliance Rate²
Orange	699	24	97%	86%
Osceola	181	13	93%	96%
Palm Beach	1597	96	94%	93%
Pasco	257	2	99%	96%
Pinellas	1270	39	97%	95%
Polk	692	16	98%	97%
Putnam	183	5	97%	97%
St. Johns	189	0	100%	98%
St. Lucie	258	17	93%	92%
Santa Rosa	159	0	100%	98%
Sarasota	365	9	98%	97%
Seminole	435	10	98%	94%
Sumter	165	2	99%	98%
Suwannee	78	0	100%	96%
Taylor	60	1	98%	100%
Union	44	0	100%	100%
Volusia	755	5	99%	97%
Wakulla	45	0	100%	100%
Walton	103	6	94%	100%
Washington	85	2	98%	100%
TOTAL - FORM 1 LOCAL	20676	640	97%	97%
TOTAL - FORM 1 STATE	12274	221	98%	99%
TOTAL - FORM 6	1348	17	99%	99%
TOTAL-JUDGES	938			
TOTAL - SENIOR JUDGES	171			
OVERALL TOTAL*	34298	878	97%	98%
* Overall total does not include judges required to file annual disclosure				

¹ The 2003 compliance rate reflects compliance for the 2002 Form 1's and 2002 Form 6's, which were due no later than September 2, 2003.

² The 2002 compliance rate reflects compliance for the 2001 Form 1's and 2001 Form 6's, which were due no later than September 3, 2002.

FINANCIAL DISCLOSURE FILING COMPLIANCE (1984 - 2003)			
Year	# of Individuals Required to File	# of Form 1 & 6 Delinquent Filers	Overall Compliance Rate
1984	26,670	2,903	90%
1985	27,758	1,136	92%
1986	29,384	2,126	93%
1987	29,631	2,183	93%
1988	30,559	1,794	94%
1989	33,541	1,815	95%
1990	34,828	2,091	94%
1991	35,845	2,120	94%
1992	37,631	2,564	93%
1993	37,863	2,576	93%
1994	38,711	2,810	93%
1995	39,165	2,791	93%
1996	40,529	3,188	92%
1997	41,345	3,030	93%
1998	41,996	3,116	93%
1999	42,185	3,278	92%
2000	40,471	3,368	92%
2001	30,025	1,043	97%
2002	27,206	911	98%
2003	34,298	878	97%

Financial Disclosure Compliance History



Summary of Local Level Form 1 Compliance

- Total compliance rate for Form 1 Statement of Financial Interests was 97%.
- Of the 20,676 individuals required to file, only 640 were delinquent as of September 2, 2003.
- 27 counties reported 100% compliance in 2003. This is up from 24 in 2002.

Summary of State Level Form 1 Compliance

- The Form 1 compliance rate was 98%.
- Of the 12,274 individuals required to file, only 221 were delinquent as of September 2, 2003.

Summary of Full Disclosure (Form 6) Compliance

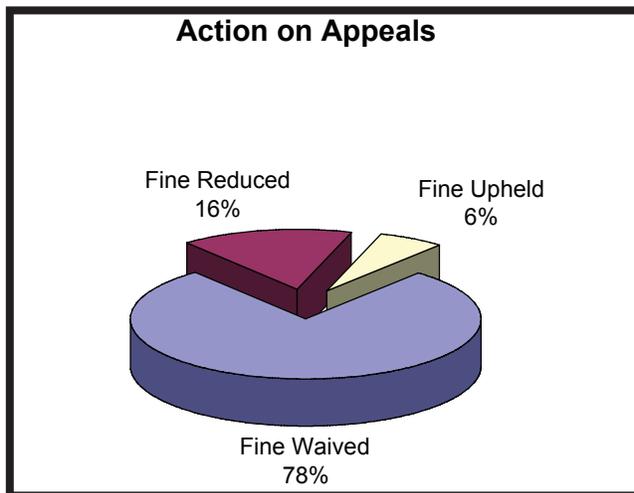
- Form 6 Full and Public Disclosure of Financial Interests compliance rate was 99%.
- There were only 17 delinquencies out of a total of 1,348 individuals required to file Form 6.

Summary of 2003 Overall Compliance

- As of September 2, 2003, out of the 34,298 individuals required to file disclosure, there were only 878 officers and employees who failed to do so.
- The 2003 total of 35,407 officials (including judges) required to file disclosure represents an increase of 7,125 individuals from 2002. Staff of the Commission is working with agency coordinators to ensure the filer list is pared down to only those required to file by statute or local option.

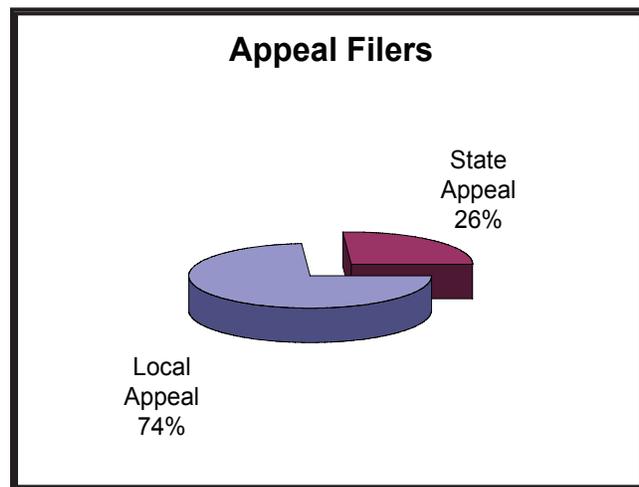
Financial Disclosure Fine Appeals

In 2003, 981 individuals who were delinquent in filing the 2001 disclosure form, which was due no later than September 2, 2002,* were fined \$25 per day for each day late, up to a statutory maximum of \$1,500. Under the law, the Commission has the authority to waive or reduce an assessed fine if an appeal is filed reflecting that “unusual circumstances” caused the failure to file the appropriate disclosure form on time. There were 520 appeals filed in 2003 and the Commission on Ethics took action on 494 of them. The following is a breakdown of action taken on appeals:



In 2003, the Commission on Ethics heard 494 appeals filed for the year 2001 disclosure period. In 385 appeals, the Commission waived the fine. The fine was reduced in 79 of the appeals, while the Commission upheld the assessed fine in 30 appeals.

There were 520 appeals filed for the year 2000 disclosure forms. Of the appeals, 385 were filed by local officials or employees. State employees and officials filed 135 appeals.



* 2002 disclosure forms were due no later than September 2, 2003. Appeals for those delinquencies will be filed in 2003 and reported in the Annual Report for calendar year 2004.

