

# Haines Borough Financial Disclosure Statement INFORMATION & INSTRUCTIONS **for** FILERS

## **PUBLIC OFFICIALS AND CANDIDATES MUST FILE FINANCIAL DISCLOSURE STATEMENTS (HBC 2.06.035)**

- High moral and ethical standards among public officers of the borough are essential to the conduct of free government and the people require public officers to adhere to a code of ethics (HBC 2.06);
- Each public officer holds office as a public trust, and any effort to benefit a substantial personal interest or a substantial financial interest through official action is a violation of that trust. Financial disclosure requirements develop accountability in government and confidence in those who seek and hold office.
- The public trust and the borough’s code of ethics do not prohibit an officer from following independent pursuits, so long as those pursuits do not interfere with the full and faithful discharge of an officer’s public duties.
  - In a representative democracy, the representatives are drawn from society and, therefore, cannot and should not be entirely without personal and financial interests in the decisions and policies of government;
  - Citizens who serve as public officers retain their rights to interests of a personal or financial nature; and
  - Standards of ethical conduct for public officers need to distinguish between those inconsequential conflicts which are unavoidable in a free society, and those which are substantial and material.

**Haines Borough Financial Disclosure Statements are public documents – do not include confidential information (i.e. social security numbers, bank account numbers)**

**All disclosure statements must be signed by the filer to certify that the disclosure is correct, complete and true**

### **REQUIRED FILERS**

**Borough Assembly Members, Mayor, School Board Members, Planning Commissioners, and Borough Manager**

### **WHAT to FILE – WHEN to FILE – WHERE to FILE**

<b>INITIAL</b>	File initial disclosure statement within 30 days of taking office (and annually thereafter). File with the borough clerk. (Taking office means: the first day of paid work or the day the filer takes an oath of office – whichever occurs first.)
<b>ANNUAL</b>	File annual disclosure statement by March 15, of each year.
<b>CANDIDATE</b>	File disclosure when filing for election (incumbent candidates with a current disclosure statement on file do not need to file a new one).
<b>DEADLINE</b>	Disclosure deadlines are strictly enforced – no extensions, no exceptions. Late filers face penalties. If mailed, the postmark is the filing date. If emailed or faxed, the date/time is the filing date.

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#### GENERAL INSTRUCTIONS

- **Use extra pages**, if necessary. Give **detailed descriptions** where required.
- **Each section begins with brief instructions.** More detailed instructions are given here & in borough code (HBC 2.06.035).
- **Check all boxes that apply.** For example, if filer and spouse/domestic partner own property jointly, check both boxes.
- **If you have nothing to report**, or a section does not apply, check the box NONE above the section.
- **Exemptions.** (HBC 2.06.035(E)(1)(a)). Some filers may be exempt from disclosing certain data. An exemption must be requested using a separate form provided by the borough clerk and deadlines must be met.
- **Allow sufficient time** to complete your disclosure, taking into account the amount & complexity of data you must disclose. This may take several hours, more or less, but this will be different for every filer.
- **Disclosures must be legible** to be accepted. Illegible disclosures will be returned for re-filing.
- **Signed & certified.** Every disclosure must be signed and dated by the filer and certified as true.
- **Filers are solely responsible** for submitting complete, accurate, truthful disclosures by the deadline.

#### BASIC FILER INFORMATION – PAGE 1 of the FINANCIAL DISCLOSURE STATEMENT

- **Spouse/domestic partner.** All filers must disclose income and financial data for their spouse or domestic partner. Domestic partner means a person who is cohabiting with another person in a relationship that is like a marriage but that is not a legal marriage.
- **Dependent children.** All filers must disclose income and financial data for their dependent children. State the number of dependent children. Do not give names. Do not include non-dependent children.
- **Child** means biological child, adopted child, or stepchild.

#### WHY ARE YOU FILING?

- **Office holder or candidate? Be specific.** State the name of the office you hold and/or the name of the office you are running for in an election.
- **Type of disclosure – initial, annual, or candidate?** Check the box that defines your disclosure.

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#### **SCHEDULE A – SOURCES of INCOME OVER \$5,000 (or gifts over \$250)**

“*Source of Income*” means an employer or other person or entity paying compensation, dividends, or interest, directly or indirectly, for services, products, or investments. If the income being reported is derived from employment by a sole proprietorship, partnership, or corporation in which the reporting person, the spouse or children, or a combination of them hold a controlling interest, that proprietorship, partnership, or corporation may be designated as the source of income without specifying clients or customers if the business is one that is normally conducted on a cash basis or maintains accounts payable within 30 days and annual account accrual does not exceed \$10,000. In all other cases, the clients or customers of the proprietorship, partnership, or corporation shall be listed as sources of income of the person whose income is being reported, whose spouse, children, or a combination of them hold a controlling interest.

**Exemptions.** Filers may be exempt from reporting the name of an individual who was a source of income for any reason set out in Alaska Statute 39.50.035. Filers seeking an exemption have the burden of proving each fact necessary to show that an exemption is applicable. A written request for exemption must be submitted before the due date of any report or filing to which it relates. Within 30 days of receipt, the borough clerk will issue a decision based on whether the facts and circumstances qualify the filer for an exemption. See HBC 2.06.035(E)(1)(a).

Filers are **NOT** required to report the amount of income.

#### **SECTION # 1: SALARIED/WAGED EMPLOYMENT**

• **Source of income is the origin of the payment:** If employed by another, the employer is the source of income. List each employer who paid you and any family member more than \$5,000 during the preceding calendar year.

#### **SECTION # 2: SELF-EMPLOYMENT**

• **Self-employment includes** sole proprietorships, partnerships, limited liability companies (LLC) and professional corporations (PC). Self-employment also includes corporations where the filer and/or family members, individually or together, hold a controlling interest (more than 50%).

• **Source of income:** the client or customer of the sole proprietorship, LLC, partnership, PC, or corporation where filer and/or family hold a controlling interest. If the origin of payment is **not** the same as the client for whom the service is performed, **both** are considered the source of income, and **both** must be reported. Example: A real estate agent must report the real estate company that pays him/her **and** the clients the agent represented.

• **Identify clients & customers** by name only. Do **not** list names of clients or customers if the business (typically retail) is one that is normally conducted on a cash basis or maintains accounts payable within 30 days and annual account accrual does not exceed \$10,000. In all other cases, the clients or customers of the proprietorship, partnership, or corporation must be listed as sources of income.

• **Detailed description of services provided.** Provide a description sufficient to make clear to a person of ordinary understanding the nature of the business or service. Do **NOT** give one-word answers or vague phrases. Provide a clear, detailed description of the work.

#### **SECTION # 3: RENTAL INCOME**

• **Tenants:** List each tenant who paid you or family members more than \$5,000 during the preceding calendar year.

• **Agents:** For rentals outside of Alaska managed by an agent, it is acceptable to list the agent/manager instead of tenants.

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#### SECTION # 4: DIVIDENDS & INTEREST

- **Permanent Fund Dividend.** If the PFD exceeds \$5,000, it must be reported.
- **Native corporation shareholder dividends** totaling more than \$5,000 must be reported.
- **Include interest from bank accounts, certificates of deposit and money market accounts** that exceed \$5,000.

#### SECTION # 5: OTHER INCOME

- **Report the source of any other income over \$5,000 not reported elsewhere.** Include taxable and nontaxable capital gains, public assistance, worker's compensation, unemployment, social security and retirement payments, IRA cash-outs, alimony or child support, government entitlements, honorariums, shared living expenses, and other payments not otherwise reported.

#### SECTION # 6: GIFTS EXCEEDING \$250

- **Report the source** of gifts worth over \$250 unless it is from immediate family members. Include cash, goods, services, travel expenses, tickets, and discounts not available to the public, and loans and debts that have been forgiven or paid by a third party. Include a series of gifts from one source if the cumulative total exceeds \$250 during the preceding calendar year.
- **"Gift"** means money, goods, services, travel expenses, tickets, discounts not available to the public, loans or debts forgiven or paid by a third party, a promise, or other item of value gratuitously transferred from a donor to a recipient.

#### SCHEDULE B – BUSINESS INTERESTS

- **Report business interests & investments** – *whether or not they were sources of income for you, your spouse/domestic partner, or dependent child during the reporting period.*
- **List each business (including non-profits) which operate in the Haines Borough-** in which you, your spouse/domestic partner, or dependent child was an owner, owner of more than 30% stock, or an officer, director, partner, proprietor, or employee of such business during the preceding calendar year. Filers who exercise full control of their investments shall list each company and address. Filers who do not manage their own investments shall report the name of the investment company that holds and manages their assets.
- **The nature of the interest** includes stockholder (investor), owner, officer, director, partner, proprietor, or employee during the preceding calendar year.
- **Interests of less than \$5,000 in the stock of a publicly-traded corporation need NOT be reported.**
- **Filers are NOT required to report the value of the business interests and investments.**

#### SCHEDULE C – REAL PROPERTY INTERESTS

- **Include** home, rent-to-own home, rental property, vacant land or property, recreational property, options to buy and property held in a limited partnership, trust or LLC. State the nature of the ownership.
- **If property is jointly owned,** check all boxes that apply.
- **Property sales.** Report property owned at any time during the reporting year – even if it was sold.
- **Filers are NOT required to report the value of the real estate property.**

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#### **SCHEDULE D – BENEFICIAL INTERESTS OVER \$5,000**

- **Identify each trust, fund, retirement account and beneficial interest** valued at more than \$5,000.
- **Include** PERS, TRS, JRS, 401(k)s, IRAs, employee benefit plans, profit-sharing trusts, family trusts, education trusts, deferred comp plans, defined contribution plans, annuity plan, trust funds. If you manage your own funds, identify the fund and the account. **Example:** PERS – Alaska Balanced Trust.
- **Filers are NOT required to report the value of the fund, trust, account, retirement plan or asset** but must identify the assets by owner, manager, and name and describe the nature and extent (percentage) of interest.

#### **SCHEDULE E – NATURAL RESOURCE LEASES**

- **List all mineral, timber, oil, natural gas and other natural resource leases held, bid, or on which offers have been made.**
- **Report the lease status:** held or offered by the filer, family member or business interest.
- **Type of interest:** individual, sole proprietor, family, partnership, limited liability company, professional corporation, or through controlling interest in a corporation. Controlling interest means filer and/or family members hold more than 50%.
- **Filers are NOT required to report the value of the lease.**

#### **SCHEDULE F – GOVERNMENT CONTRACTS**

- **List all contracts and offers to contract with the State of Alaska or with the Haines Borough** (including the school district or other Haines Borough entities) during the preceding calendar year.
- **Report the contract status:** held, bid or offered by the filer, family member or business interest.
- **Type of interest:** individual, sole proprietor, family, partnership, limited liability company, professional corporation, or through controlling interest in a corporation. Controlling interest means filer and/or family members hold more than 50%.
- **Filers are NOT required to report the value of the contract.**

#### **SCHEDULE G – LOANS, LOAN GUARANTEES, AND DEBTS OVER \$5,000**

- **All types of loans.** Report all types of loans: signature loans, promissory notes, secured loans, unsecured loans and contingent loans. Include loans signed or co-signed by the filer and/or family members. Include loan guarantees on behalf of filer or family.
- **Financial obligations include** mortgages, business loans, personal loans, student loans, vehicle loans, boat loans, medical bills, delinquent taxes, alimony and child support.
- **Repaid loans.** If the amount owed was more than \$5,000 *at any time* during the reporting period, the loan, debt or obligation must be disclosed. No matter when a debt was incurred, even if it has been repaid, it must be disclosed if it exceeded \$5,000 during the period covered by this report.
- **Forgiven loans are gifts.** Any amount of a loan or debt that has been forgiven becomes a gift. All gifts with a value greater than \$250 must be reported as gifts in Schedule A, Section #6. A loan or debt that is forgiven, in whole or in part, is a gift. A loan that has been reduced without a payment is a gift.
- **Joint loans**, such as a filer-spouse mortgage, should be identified by checking all boxes that apply.
- **Credit cards & charge accounts** are exempt from disclosure. Do **NOT** report credit card debts and revolving charge accounts.

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- **Filers are NOT required to list the amount of indebtedness**, but must report obligations over \$5000.

**CERTIFICATION**  
Sign & date your  
disclosure

**Your signature certifies your disclosure is complete, accurate & truthful**

Filers may be penalized filing late, incomplete, inaccurate, untruthful or non-compliant disclosures. Knowingly filing false statements is perjury.

**Reminder: your disclosure statement is a public document.**  
**Do not include confidential information such as**  
**Social Security numbers and bank account numbers on your form.**