

House, No. 6609, App. A (Code of Ethics and Financial Disclosure), as changed by renumbering paragraphs and as amended and adopted by the House. November 15.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Seven.

1 *Ordered*, That the Rules of the House are hereby amended by
2 inserting after Rule 19 the following new Rule 19A.

3 **Code of Ethics**

4 1. While members, officers, and employees should not be
5 denied those opportunities available to all other citizens to acquire
6 and retain private, economic and other interests, members,
7 officers, and employees should exercise prudence in any and all
8 such endeavors and make every reasonable effort to avoid
9 transactions, activities, or obligations which are in substantial
10 conflict with or will substantially impair their independence of
11 judgment.

12 2. No member, officer, or employee shall solicit or accept any
13 compensation or campaign contribution other than that provided
14 for by law for the performance of official legislative duties.

15 3. No member, officer, or employee shall serve as a legislative
16 agent as defined in Chapter 3 of the General Laws regarding any
17 legislation before the General Court.

18 4. No member, officer, or employee shall receive any compensa-
19 tion or permit any compensation to accrue to his or her beneficial
20 interest by virtue of influence improperly exerted from his or her
21 official position in the House.

22 5. No member, officer, or employee shall accept employment or
23 engage in any business or professional activity which will require
24 the disclosure of confidential information gained in the course of
25 and by reason of his or her official position.

26 6. No member, officer, or employee shall willfully and
27 knowingly disclose or use confidential information gained in the
28 course of his or her official position to further his or her own
29 economic interest or that of any other person.

30 7. Except as provided in Rule 65, no member shall cast a vote
31 for any other member.

32 8. No member shall use profane, insulting, or abusive language
33 in the course of public debate in the House Chamber or in
34 testimony before any committee of the General Court.

35 9. No member, officer, or employee shall employ anyone from
36 public funds who does not perform tasks which contribute
37 substantially to the work of the House and which are commensurate
38 with the compensation received; and no officer or full time
39 employee of the House shall engage in any outside business activity
40 during regular business hours, whether the House is in session or
41 not. All employees of the House are assumed to be full time unless
42 their personnel record indicates otherwise.

43 10. No member, officer, or employee shall accept or solicit
44 compensation for non-legislative services which is in excess of the
45 usual and customary value of such services.

46 11. No member, officer, or employee shall accept or solicit an
47 honorarium for a speech, writing for publication, or other activity
48 from any person, organization, or enterprise having a direct
49 interest in legislation or matters before any agency, authority,
50 board, or commission of the commonwealth which is in excess of
51 the usual and customary value of such services.

52 12. No member of the House, officer, or employee shall
53 knowingly accept gifts or things of value, including but not limited
54 to food and beverages, having an aggregate monetary equivalent
55 value in excess of \$100.00 in any calendar year from any person or
56 entity having a direct interest in legislation before the General
57 Court. Nor shall any member of the House, officer, or employee
58 accept any gift of cash from the aforementioned persons or entities.
59 Gifts from relatives, bequests, awards of a nominal nature
60 presented in recognition of public service, and commercially
61 reasonable loans made in the ordinary course of business, are
62 exempted from the aforementioned provisions. Campaign
63 contributions made and duly reported within the provisions of
64 Chapter 55 of the General Laws shall not be construed as gifts.
65 "Gift", for the purpose of this rule shall mean any payment to the
66 extent that consideration of equal or greater value is not received,
67 including but not limited to payment, subscription, advance,

68 forbearance, rendering or deposit of money, services, food,
69 beverage, transportation, expenses, accommodations, tickets or
70 passes to entertainment events, or anything of value.

71 (a) Officers and employees, not otherwise required to report,
72 shall report to the Clerk of the House on a form so prescribed any
73 gift having a monetary equivalent value in excess of \$35.00 which is
74 accepted from any person or entity having a direct interest in
75 legislation before the General Court. (See Code 15 of this Rule.)

76 13. No member shall convert campaign funds to personal use in
77 excess of reimbursements for legitimate and verifiable campaign
78 expenditures. Members shall consider all proceeds from
79 testimonial dinners and other fund raising activities as campaign
80 funds.

81 14. No member, officer, or employee shall receive remuneration
82 for representing a client before any executive agency, authority,
83 board, or commission of the commonwealth provided however,
84 that the provisions of this section shall not apply to a member,
85 officer or employee with respect to an appearance before any court
86 of the commonwealth and further shall not apply to those
87 functions that involve the filing of documents or contracts with
88 such agency, authority, board, or commission requiring only
89 ministerial acts on the part of such agency, authority, board, or
90 commission and provided, further, that the provisions of this code
91 shall not apply to such representations commenced prior to the
92 effective date of this Code or commenced prior to such member
93 assuming his office or such officer or employee assuming his
94 position.

95 Ministerial functions shall include but are not limited to the
96 filing or amendment of tax returns, applications for permits and
97 licenses, incorporation papers or other documents.

98

15. Financial Disclosure

99 (1) All members, and any officer or employee who is paid a
100 salary in excess of \$20,000 per year shall annually file on or before
101 June 30 a statement of financial interest for the preceding calendar
102 year with the Clerk of the House.

103 Said statement shall include:

104 (a) The names and addresses of all businesses with which he or

105 she is associated, the nature of the association, if determinable, for:
106 all interests in proprietorships, partnerships, or professional
107 service corporations; directorships, trusteeships, and other
108 comparable policy-making positions; all businesses,
109 organizations, or agencies from which he or she is taking a leave of
110 absence; all agreements with a prior employer providing for
111 deferral of payments or benefits, except pensions.

112 (b) The source of all income, directly or in trust for the report-
113 ing person's benefit, from a single source in excess of \$1,000. The
114 term income shall not be construed to include the proceeds from an
115 insurance policy on a spouse, parent, or child. The interest from
116 bank accounts is likewise exempted.

117 (c) The identity of all securities, investments (except for bank
118 account balances), and real property (except for one's domicile),
119 valued in excess of \$1,000, whether held directly or in trust for the
120 reporting person's benefit.

121 (d) The source and amount of any reimbursements for expenses
122 aggregating more than \$100 in a year from any person,
123 organization, or enterprise having a direct interest in legislation
124 before the General Court or matters before any agency, authority,
125 board, or commission of the Commonwealth, with the exception
126 of reimbursements from relatives.

127 (e) The name and address of each creditor, and type of security
128 given to each creditor to whom the value of \$5,000 or more was
129 owed and is still outstanding at the end of the reporting period. The
130 following are exempt from this provision: mortgages for one's
131 domicile; debts arising out of consumer credit transactions,
132 educational loans, medical or dental expenses; debts incurred in
133 the ordinary course of business; and debts, the terms of which do
134 not exceed ninety days, unless such a debt has been renewed.

135 (f) Any single gift (as defined in Code 12) having a monetary
136 equivalent value in excess of \$35 received during the previous
137 calendar year from any person or entity having a direct interest in
138 legislation or matters before any agency, authority, board, or
139 commission of the Commonwealth.

140 (g) Any honoraria (in excess of \$300) received during the
141 preceding calendar year from any person or entity having a direct

142 interest in legislation or matters before any agency, board,
143 authority, or commission in the Commonwealth.

144 (2) The Clerk of the House, in consultation with the House
145 Committee on Ethics, shall prescribe a standard form for said
146 disclosure statements and shall make said statements readily
147 available to members, officers, and employees.

148 (3) The disclosure statement shall also include the same
149 information with respect to (1) the mother and father of the
150 reporting member if their domicile is the same as the reporting
151 member and (2) with respect to the spouse and dependent children,
152 if any, of the reporting person, if enhancement of the economic
153 interest of the spouse or dependent children would benefit the
154 reporting person. In reporting financial interests of a spouse or
155 dependent child, the reporting person may file an aggregate
156 statement for the whole family unit instead of separate statements
157 for each family member. Said statement shall not apply to a spouse
158 separated from the reporting person.

159 (4) Statements of financial interest filed by members, officers,
160 and employees shall be retained by the Clerk of the House in an
161 appropriate manner and shall be open to public inspection during
162 normal business hours upon the signed request of any person, after
163 said person has displayed proper identification as to name and
164 address, and on forms prescribed by the Clerk of the House. A
165 copy of such request form shall be forwarded by mail by said clerk
166 to the person whose records have been reviewed.

167 (5) Upon termination of service, said statements shall be
168 returned to members, officers, and employees.

169 (6) No other form of disclosure shall be deemed to negate this
170 required statement.

171 (7) Codes 1 through 14, inclusive, of this rule, excepting Code
172 12(a), shall take effect upon adoption. Code 12(a) and Code 15
173 shall take effect on June 30, 1978, for those members who have
174 filed for election to the House of Representatives.

HOUSE OF REPRESENTATIVES, November 15, 1977.

Adopted.

WALLACE C. MILLS,
Clerk.

