

AN ENTERPRISE WHICH WOULD BE AFFECTED BY THE LEGISLATOR'S VOTE ON PROPOSED LEGISLATION.

[198] 105. SAME; PRESUMPTION; WHEN SUSPENDED.

(A) THE DISQUALIFICATION ARISING UNDER RULE [197] 104 is suspended if a legislator with an apparent conflict files with the Joint Committee on Legislative Ethics (hereafter referred to as "Committee") a sworn statement which describes the circumstances of the apparent conflict and the legislation to which it relates and asserts he is able to vote and otherwise participate in legislative action relating thereto, fairly, objectively, and in the public interest.

(b) The suspension of the disqualification by the filing of the statement is subject to further action by the Committee, if the question of conflict comes before it as to the same circumstances and the same legislator.

[199] 106. THE LEGISLATOR'S RELATIONSHIPS WITH NON-LEGISLATIVE AGENCIES.

(A) REPORTS: WHEN REQUIRED. A LEGISLATOR WHO ENTERS INTO ANY OF THE LISTED TRANSACTIONS SHALL REPORT IN WRITING TO THE COMMITTEE AND THE PRESIDING OFFICER OF HIS BRANCH OF THE LEGISLATURE FOR RECORDATION WITH THE CLERK OF THE HOUSE OF DELEGATES OR SECRETARY OF THE SENATE, AT THE TIMES AND IN THE MANNER REQUIRED BY THE COMMITTEE:

(1) IF REPRESENTING A PERSON FOR COMPENSATION, BEFORE A STATE AGENCY INVOLVING OTHER THAN A JUDICIAL OR QUASIJUDICIAL PROCEEDING, THE NAME OF THE PERSON REPRESENTED, THE SERVICES PERFORMED, AND THE CONSIDERATION.

(2) IF REPRESENTING A STATE AGENCY FOR COMPENSATION, THE NAME OF THE AGENCY, THE SERVICES PERFORMED, AND THE CONSIDERATION.

(3) THE NAME OF ANY BUSINESS ENTERPRISE SUBJECT TO REGULATION BY A STATE AGENCY IN WHICH HE AND A MEMBER OF HIS IMMEDIATE FAMILY (SPOUSE AND CHILDREN LIVING WITH HIM), TOGETHER OR SEPARATELY, OWN MORE THAN 10% OF THE INVESTED CAPITAL OR CAPITAL STOCK.

(4) DETAILS OF ANY CONTRACTUAL RELATIONSHIP WITH THE STATE OR A STATE AGENCY, INCLUDING THE SUBJECT MATTER AND THE CONSIDERATION.

(5) DETAILS OF ANY TRANSACTION WITH THE STATE INVOLVING A MONETARY CONSIDERATION, EXCLUDING THOSE ENUMERATED BY THE COMMITTEE IN THE GUIDELINES.

(B) SAME; PUBLIC RECORD. ALL REPORTS FILED UNDER THIS RULE SHALL BE A MATTER OF PUBLIC RECORD.

[100] 107. ADVISORY OPINIONS. A LEGISLATOR IN DOUBT AS TO THE PROPRIETY OF ANY ACTION PROPOSED TO BE TAKEN BY HIM AND INVOLVING A POSSIBLE CONFLICT OF INTERESTS UNDER THIS SUBHEADING MAY REQUEST THE COMMITTEE TO RENDER AN ADVISORY OPINION ON THE FACTS. THE ADVISORY OPINION,