

by reason of or in the course of his relationship with an agency which is not intended at the time received to be made public and as to which the officer or employee is bound to act for the benefit of the agency and not for his own benefit.

5. "Entity" means any individual, partnership, association, corporation, firm, institute, trust, foundation, or other organization (other than the State or an agency thereof) whether or not operated for profit.

6. (A) "Financial interest" means (a) ownership of more than three percent (3%) of the invested capital or capital stock of any entity, (b) ownership of securities or obligations of any type which are or may become equivalent to or convertible into ownership of more than three percent (3%) of the invested capital stock of any entity, or (c) ownership of any interest or involvement in any relationship from or as a result of which the owner has, within the past three years, received, or is presently or in the future entitled to receive more than one thousand dollars (\$1,000) per year.

(B) THE TERM DOES NOT INCLUDE:

(I) A VESTED INTEREST IN A SEPARATELY TRUSTED PENSION PLAN OR ANNUITY CONTRACT WHICH PAYS OR WILL PAY DEFINED BENEFITS WHICH DO NOT VARY WITH THE EARNINGS OR PROFITABILITY OF THE PAYOR; OR

(II) COMPENSATION FULLY PAID AND RECEIVED AS A RESULT OF OTHER EMPLOYMENT COMPLETED PRIOR TO THE DATE OF STATE EMPLOYMENT.

7. "Direct financial interest" means a financial interest owned or possessed by an officer or employee, his spouse, child, parent, brother, or sister.

8. "Participate", in connection with a transaction involving the State or a transaction involving an agency, means to participate as a State officer or employee in any proceeding, decision, determination, finding, ruling, order, grant, payment, award, license, contract, transaction, sanction or approval, or the denial thereof, or failure to act with respect thereto, personally and substantially through approval, disapproval, decision, recommendation, the rendering of advice, investigation, or otherwise.

9. "Transaction involving the State" or "Transaction involving the agency" means any proceeding, application, submission, request for ruling or other determination, contract, claim, case, or other such particular matter which the State officer or employee in question believes or has reason to believe (a) is one to which the State or an agency