**Section 1705.17 What to Report**

a) Each employee shall report, on OSM Form 23, all employment and financial interests of the employee, the employee's spouse, minor children, or other relatives who are fulltime residents of the employee's home.

b) Listing of all financial interests. The employee is to answer the questions on OSM Form 23 as follows:

1) Employment. Any continuing financial interests in business entities and nonprofit organizations through a pension or retirement plan, shared income, salary, or other income arrangement as a result of prior or current employment. Retirement income is exempt from reporting if the Department's actions will not affect the amount of income to the employee, his or her spouse, or other resident relative. The employee is exempt from reporting any income from a retirement plan in which the income will be unaffected by the Department's actions.

2) Securities. Any financial interest in business entities and nonprofit organizations through ownership of stock, stock options, bonds, securities, or other arrangements including trusts. An employee is exempt from reporting holdings in widely diversified mutual funds, investment clubs, or regulated investment companies not specializing in surface coal mining operations.

3) Real property. Any ownership, lease, royalty, or other interest or rights in surface or mineral estates. An employee is exempt from reporting any land occupied as a personal resident.

4) Creditors. Any debts owed to business entities or nonprofit organizations which directly earn income from surface coal mining operations.

c) Employee certifications, and, if applicable, a listing of exceptions.

1) The employee must certify, to the best of the employee's knowledge, that:

A) None of the listed financial interests represent an interest in a surface coal mining operation unless the employee has specifically identified and described, on the certificate, the interest as exempted; and

B) The information shown on the statement is true and complete.

2) The Department expects each employee to:

A) Have complete knowledge of his or her personal involvement in business enterprises such as a sole proprietorship or partnership, his or her outside employment and the outside employment of the spouse and other covered relatives; and

B) Be aware of the information contained in the annual financial statement or other corporate or business reports routinely circulated to investors or routinely made available to the public.

3) The exceptions in OSM Form 23 should provide enough information for the Department's legal counsel to determine whether a direct or indirect financial interest exists. Accordingly, the exceptions should:

A) List the financial interests;

B) Show the number of shares, estimated value, or annual income of the financial interests; and

C) Include any other information which the employee believes should be considered in determining whether or not the interest represents a prohibited interest.

4) The employee's failure to list any prohibited financial interest may be cause for imposing the penalties prescribed in Section 1705.6(a).

(Source: Amended at 11 Ill. Reg. 8452, effective July 1, 1987)