Appendix F

# State of South Dakota
# Statement of Financial Interest
# Candidate for Public Office

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**File statement in the office where your nominating petition or convention nomination certification was filed.**

**Please read information on reverse side before completing this form.**

1. Name Mitch Fargen
2. Address 603 2nd Ave. W. Flandreau, SD 57028
3. Office Sought District 8 State House
4. What is your occupation/profession? Staff in Farm Organization

5. List any enterprise which accounted for more than ten percent of, or contributed more than $2,000 to, your family's (includes spouse, minor children living at home) gross income in the preceding calendar year. Identify who receives the income from each enterprise.

N/A

What is the nature of your immediate family's association with each? The value of the financial interest need not be reported.

N/A

6. List any enterprise in which you, your spouse or minor children living at home control more than ten percent of the capital or stock. Identify who has the ownership interest in each enterprise.

N/A

What is the nature of your immediate family's association with each?

N/A

Filed this 8th day of April 08

Chris Nelson
SECRETARY OF STATE

State of South Dakota )
County of Moody ) SS.

Verification

I have reviewed paragraphs 1 through 6 of the Information Regarding Statement of Financial Interest (attached), my Statement of Financial Interest and certify that the information reported is a complete, true and accurate representation of my financial interests for the preceding calendar year.

(Signed) [signature]

Sworn to before me this 7th day of April, 20 08.

(Seal) COUNTY AUDITOR CORPORATE SEAL MOODY COUNTY, SD

Lou Schaefer, Moody County Auditor
Officer Administering Oath

My commission expires:

Revised 1

# Information Regarding Statement of Financial Interest

**1. Who Files.** This form is to be completed by all candidates filing nominating petitions for United States Senator, United States House of Representatives, Governor, Circuit Court Judge, State Legislature, County Commissioner, School Board Member in a school district with total enrollment of more than two thousand students, or commissioner, council member, or mayor in any first class municipality; all convention nominees for Lieutenant Governor, State Treasurer, Attorney General, Secretary of State, State Auditor, Public Utilities Commissioner and Commissioner of School and Public Lands; and all Supreme Court Justices seeking retention.

**2. Deadline.** It must be filed in the office where your nominating petition or convention nomination certification was filed within 15 days after that filing.

**3. Nature of your association** in #5 and #6 means if you were an employee, officer, director, associate, partner, stockholder, member, proprietor, served in an advisory or consulting capacity, or provided professional services. This must be provided for each enterprise which is listed.

**4. Definitions of Terms (SDCL 12-25-27)**

(1) "Any member of his immediate family," a spouse or minor children living at home;

(2) "Close economic interest," any enterprise that, in the calendar year preceding filing of a statement under any of §§ 12-25-28 to 12-25-30, inclusive, contributes either more than ten percent of or more than two thousand dollars, to the gross income of the family which shall include the individual required to file the statement and any member of his immediate family, or an enterprise in which such individual or any member of his immediate family control more than ten percent of the capital or stock;

(3) "Enterprise," any business or economic relationship [where you were an employee, officer, director, associate, shareholder, member, partner or proprietor];

(4) "Statement of financial interest," a description of the type of financial activity and the nature of the association with the enterprise as provided in subdivision (1) of this section.

**5. Penalty (SDCL 12-25-28)** Failure to file the statement of financial interest is a petty offense. An intentional violation is a Class 2 misdemeanor.

**6. Conflict of Interest Provisions.** State officeholders and local government officials are prohibited (with limited exceptions) from doing business with state and local government. Corporations, partnerships and other business entities in which the officeholder holds some interest or control are likewise precluded from doing governmental business. Spouses and other family members of the officeholder may be similarly prohibited (although no definitive court decision has yet been issued). A prohibited contract may be declared void or subject the officeholder to criminal sanctions. Candidates should review all personal and family financial interests accordingly and contact a lawyer with questions.

a) Legislators (Art. III, § 12) This provision of the State Constitution prohibits a legislator from having any interest, direct or indirect, in a contract with the State or county authorized or funded by any law enacted during the legislator's term or one year thereafter.

b) State officers (SDCL 5-23-14.2) This statute prohibits any state officer from being interested in any state contract which the officer has the supervisory power to approve, award or administer.

c) Local government officers (SDCL §§ 6-1-1, 6-1-2, 3-16-7) With limited exceptions local governmental officers, appointed and elected, cannot be interested, directly or indirectly, in contracts with the governmental entity they serve as officers. Contracts that are excepted are detailed in SDCL 6-1-2.