Appendix F

10292

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

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.

RECEIVED
JAN 25 2010
S.D. SEC. OF STATE

1. Name Thomas R. Nelson

2. Address 1616 Sunnyhill Road, Lead, SD 57754

3. Office Sought District 31 State Senate

4. What is your occupation/profession? General Manager of Gold Dust Gaming

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.

Gold Dust Gaming - Tom Nelson
City of Lead - Tom Nelson
Deadwood Elks Lodge - Tom Nelson
State of South Dakota - Tom Nelson
~~Dakota~~ Quilt Company - Meladee Nelson

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

Employees in all cases, except City of Lead and State of South Dakota where Tom Nelson is mayor and state senator, respectively.

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.

Foggy Notion Properties LLC
Meladee Nelson 50%
Tom Nelson 50%

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

Closely held (family) management company.

State of South Dakota)
County of Hughes) 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 25th day of January, 2010.

(Seal)

[signature] Marianne Gabriel
Officer Administering Oath

My commission expires: 8/17/2011

Revised 1997

Filed this 28th day of Jan, 10

Chris Nelson
SECRETARY OF STATE

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.