

INTERPRETIVE RULING 2015-1
RSA 14-C:2, IV(b)(11), V; RSA 14-C:4
(August 31, 2015)

Please Note: For clarity, references to and excerpts from provisions of statutes or the Ethics Guidelines have been updated to conform to subsequent changes in numbering and language, where the changes have not affected the substance of the Opinion.

Honorariums

The Committee was asked whether a \$100 donation to a charity from a third party in a legislator's name, for participation in a focus group, qualifies as an honorarium that must be reported.

RSA 14-C:2, V defines an honorarium as "a payment in any form to a legislator ... for an appearance, speech, written article or other document, service as a consultant or advisor, or participation in a discussion group or similar activities." This exception to the general prohibition on the acceptance of gifts under RSA 14-C:3 allows a legislator to accept payment from a third party for performance of the activities specified in RSA 14-C:2, V relating to his or her duties or position as a legislator.

The Committee determined that although the legislator did not personally receive a payment for participation in the focus group, the intangible honor and recognition of the donation resulting from it being in the legislator's name constitutes a form of payment for his participation. Therefore, the donation is an honorarium and must be reported pursuant to RSA 14-C:4.

Donna Sytek, Chairman
Senator Sharon M. Carson, Vice Chairman
Representative Janet G. Wall
Senator Martha Fuller Clark
Representative David A. Welch
Honorable John A. Graham
Attorney David H. Bradley

For the Committee,
Donna Sytek
Chairman

[Vote: 7-0]