

Advisory Opinion 2017-1
Response to a Request for an Advisory Opinion
from Elizabeth Edwards
(May 25, 2017)

Representative Elizabeth Edwards has submitted a request for an Advisory Opinion about whether, consistent with applicable statutes and the Ethics Guidelines, she may accept payment for certain costs related to attendance at two conferences where she has been invited to speak. The conferences are both organized by a non-profit organization called the Centre for Effective Altruism. The first conference will be held in Boston from June 2-4, 2017, and the second will be held in San Francisco from August 11-13, 2017. Representative Edwards has been offered free admission to the Boston conference and free admission, travel, and lodging related to the San Francisco event.

Relevant Provisions of Law

RSA 14-C:2, IV(a)"Gift" means: ***

"Gift" means:

(1) Money in any amount, whether in the form of cash, check, or any other negotiable or non-negotiable instrumentality for the transfer of money.

(2) Any other tangible thing, intangible thing, service, or the use thereof having an individual value of greater than \$50.

(3) Multiple tangible things, intangible things, services, or the use thereof having an individual value \$50 or less with an aggregate value greater than \$250 from any single source during any calendar year.

RSA 14-C:2, IV(b)

(b) Notwithstanding subparagraph (a), "gift" shall not include:***

(11) An honorarium.

RSA 14-C:2, V

V. "Honorarium" means a payment in any form to a legislator or legislative employee for an appearance, speech, written article or other document, service as a consultant or advisor, or participation in a discussion group or similar activities. Honorarium does not include a payment for such activities for which the person is being compensated by the state, a county, the United States of America, or any other employer or client, where the activity giving rise to the honorarium is not related to or associated with any legislative office or employment.

Committee Analysis

The Committee's review of the agendas for the conferences indicates that Representative Edwards is scheduled to give speeches at both events. "Honorarium" is defined as "a payment in any form to a legislator or legislative employee for an appearance, speech, written article or other document, service as a consultant or advisor, or participation in a discussion group or similar activities." (Emphasis supplied.)

Conclusion

Based on the information provided by Representative Edwards about her activities at the events, the Committee advises that her acceptance of the costs of admission, travel, and lodging, as payment for her speeches at the conferences would fall within the exemption established for “honorarium” set forth in RSA 14-C:2, IV(b)(11).

Representative Edwards must report her acceptance of the complimentary admission, travel, lodging, and meals as an honorarium in accordance with RSA 14-C:4.

We appreciate the opportunity to be of assistance.

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

For the Committee,
Donna Sytek
Chairman

[Vote: 7-0]