

## ETHICS GUIDELINES

### 1 PRINCIPLES OF PUBLIC SERVICE.

- I. Public Office as a Public Trust  
Legislators shall treat their office as a public trust, only using the powers and resources of public office to advance public interests, and not to attain personal benefits or pursue any other private interest incompatible with the public good.
- II. Principle of Independent Objective Judgment  
Legislators shall employ independent objective judgment in performing their duties, deciding all matters on the merits free from conflicts of interest and both real and apparent improper influences.
- III. Principle of Accountability  
Legislators shall ensure that government is conducted openly, equitably and honorably in a manner that permits the citizenry to make informed judgments, have confidence in the integrity of the legislature, and hold government officials accountable.
- IV. Principle of Conduct  
Legislators shall treat each other, legislative employees, and the public with dignity and respect.

### 2 DEFINITIONS.

- I. "Anything of Value" includes but is not limited to the following:
  - (a) A pecuniary item, including money, or a bank bill or note;
  - (b) A promissory note, bill of exchange, order, draft, warrant, check, or bond given for the payment of money;
  - (c) A contract, agreement, promise, or other obligation for an advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money;
  - (d) A stock, bond, note, or other investment interest in an entity;
  - (e) A receipt given for the payment of money or other property;
  - (f) A cause of action;
  - (g) A gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel;
  - (h) A loan or forgiveness of indebtedness;
  - (i) A work of art, antique, or collectible;
  - (j) An automobile or other means of personal transportation;
  - (k) Real property or an interest in real property, including title to realty, a fee simple or partial interest, present or future, contingent or vested within realty, a leasehold interest, or other beneficial interest in realty;
  - (l) A promise of employment or continued employment; and
  - (m) A rebate or discount in the price of anything of value unless the rebate or discount is made in the ordinary course of business to a member of the public without regard to that person's status as a public official or public employee, or the sale or trade of something for reasonable compensation that would ordinarily not be available to a member of the public.

- II. "Conflict of Interest" is the condition in which a legislator has a special interest in any matter which could directly or indirectly affect or influence the performance of the legislator's official activities.
- III. "Expense Reimbursement" shall mean any price, charge, fee, expense, or other cost which is waived, forgiven, reduced, prepaid, or reimbursed in any form for the reasonable expenses of attendance, registration, travel, meals, or lodging related to a bona fide conference, meeting, seminar, or educational, cultural, or informational program. "Expense reimbursement" shall not include any expense reimbursement made by the general court to a legislator, legislative officer, or legislative employee.
- IV. "Gift" shall mean:
  - (a) Money in any amount, whether in the form of cash, check, or any other negotiable or non-negotiable instrumentality for the transfer of money.
  - (b) Any other tangible thing, intangible thing, service, or the use thereof having an individual value of greater than \$50. For purposes of this section, "service" shall not include acceptance of legal services on an individual basis when the legislator enters into an attorney-client relationship with the attorney for the purposes of addressing a complaint or petition if the attorney is not a registered lobbyist.
  - (c) 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.
- V. "Honorary" means a payment in any form to a legislator, legislative officer, 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. Honorary 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 honorary is not related to or associated with any public office or government employment.
- VI. "Household Member" shall mean any person living in the same domicile as a legislator, legislative officer, or legislative employee who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parent.
- VII. "Immediate Family" includes a spouse, guardian, parent, sibling, child, or dependent.
- VIII. "Legislation" is a bill, resolution, or constitutional amendment.
- IX. "Legislative Employee" includes all house, senate, and joint staff whether employed on a part-time, full-time, permanent, or temporary basis.
- X. "Legislative Officer" includes those employees of the House and Senate who are elected by members of the General Court.
- XI. "Official Activities" are activities which relate to official responsibilities including the introduction of legislation, testifying before any legislative committee or state agency, voting in committee or in house or senate session or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.
- XII. "Official Business" means, for legislators, legislative officers, and legislative employees, the discussion or transaction of legislative business, namely, any official action or non-action with regard to any potential pending or existing bill, resolution, amendment, report, or study, any other matter pending or proposed

in a committee or in either house of the general court, or an issue of public policy which is or may be the subject of legislative attention, or any other matter which is within the official jurisdiction or cognizance of the general court.

XII-a. "Organization" shall be construed broadly to mean any business, corporation, whether for profit, non-profit, not-for-profit, social welfare organization, or natural person. "Organization" shall not include the United States of America, the state of New Hampshire, a county within the state of New Hampshire, or any political subdivision within the state of New Hampshire.

XIII. "Special Interest" means any financial or non-financial personal interest in the outcome of a matter that is the subject of official activity, distinct from and greater than the interests of the public at large.

(a) A financial interest exists where a legislator or household member, or a person or organization, whether nonprofit or for profit, by which the legislator is employed, or from which the legislator receives compensation, to act as the person's or organization's agent or advocate, could stand to gain or lose anything of material value as a result of the official activity.

(b) A non-financial personal interest exists where a legislator or household member has a responsibility for the welfare of an organization, whether nonprofit or for profit, by virtue of holding a position with a fiduciary responsibility, such as a board member, trustee, or director.

(c) A legislator's or household member's ownership of securities of a publicly traded corporation shall not be construed to constitute a "special interest" in matters that may affect the corporation unless the legislator or household member serves as an officer, board member, trustee or director of the corporation or owns more than one percent of the outstanding securities of the corporation.

XIV. "Verbal Advocacy" means an attempt by a legislator to influence his or her colleagues on a matter that is the subject of official activity in a meeting of the general court or county delegation through public verbal communication. "Verbal advocacy" does not include casting a vote in executive session of a committee or in a full session of the House or Senate.

### **3 PROHIBITED ACTIVITIES.**

I. The activities listed in this section are prohibited. Filing a declaration in compliance with section 6 of these Guidelines does not excuse or absolve legislators from compliance with the provisions of this section or the provisions of RSA 14-C:3 prohibiting certain activities.

II. Legislators shall not solicit, accept, or agree to accept anything of value from another for themselves or other persons, if the legislator receives such thing of value:

(a) Knowing or believing the other's purpose to be the influencing of an action, decision, opinion, recommendation, or other official activity.

(b) Knowing or believing that the giver is or is likely to become subject to or interested in any matter or action pending before or contemplated by the legislator or the General Court.

(c) In return for advice or other assistance relating to a legislator's official activities.

(d) In return for introducing legislation, testifying before any legislative committee or state agency, voting in committee or in House or Senate session, or otherwise participating in, influencing, or attempting to

influence any decision of the legislature, county delegation, or any state agency.

- (e) In return for an endorsement, nomination, appointment, approval or disapproval of any person for a position as, or advancement of, a public servant.
- (f) In return for having given a decision, opinion, recommendation, nomination, vote, or other official activity.
- (g) In violation of RSA 14-C.

III. Legislators shall not:

- (a) Reveal information which the legislator has obtained confidentially in the course of his or her official activities.
- (b) Reveal information about state agency operations or decisions which the legislator would not reveal to any member of the general public requesting such information.
- (c) Threaten reprisals or promise inducements of any kind to influence another so as to obtain special personal benefits for the legislator, the legislator's immediate family or household member, or for certain constituents which would not be available to others under similar conditions.
- (d) Conduct private negotiations with any governmental agency in an attempt to obtain a decision on a pending matter which would result in special personal benefit to the legislator, to the legislator's immediate family or household member, or to certain constituents which would not be available to others under similar conditions.
- (e) Use their public position or office to obtain anything of value for the private benefit of the legislator, a member of the legislator's immediate family, or a household member.
- (f) Use state-provided services or facilities for private gain.
- (g) Engage in conduct that constitutes sexual harassment as defined in RSA 14-B:1, IV.
- (h) Engage in conduct in violation of the Policy Against Sexual and Other Unlawful Harassment and Discrimination.
- (i) Violate any policy or rule adopted by the House or Senate relating to the conduct of individuals in the performance of their duties as members of the legislature. "Rule" means any rule adopted pursuant to RSA 14-B and shall not include any rule of proceeding adopted by the house of representatives or the senate.

#### **4 PERMITTED ACTIVITIES; PERMITTED GIFTS.**

- I. Nothing in section 3, Prohibited Activities, shall be construed to prohibit the following:
  - (a) Giving or receiving campaign contributions made for the purpose of defraying the costs of a political campaign in compliance with RSA 664 or the Federal Election Campaign Act of 1971, as amended.
  - (b) Assistance to constituents in their dealings with state agencies.
  - (c) Advocacy of a particular outcome on matters pending before a state agency when the legislator believes such a decision would benefit the general public or the legislator's constituents generally.

- (d) Submission by a legislator of recommendations or references on behalf of a candidate for state employment when the legislator believes the candidate is qualified and suitable for such employment.
  - (e) Acceptance of expense reimbursement for the reasonable expenses for attendance, registration, travel, meals, and lodging related to a bona fide conference, meeting, seminar, or educational, cultural, or informational program related to the legislator's office so long as disclosure of any such reimbursement is made no later than the last day of the month following the month during which the expense reimbursement was received. This disclosure shall be filed in the Office of the Secretary of State and shall be in the form prescribed in RSA 14-C. This provision shall not be construed to require reporting of an expense reimbursement made by the general court to a legislator.
  - (f) Acceptance of an honorarium so long as disclosure is made no later than the last day of the month following the month during which the honorarium was received. This disclosure shall be filed in the Office of the Secretary of State and shall be in the form prescribed in RSA 14-C.
  - (g) Acceptance of meals or beverages with a value of greater than \$50 consumed at a meeting or event, the purpose of which is to discuss official business so long as disclosure is made no later than 10 days following the meeting or event at which the meals or beverages were consumed. Meals or beverages accepted under this subparagraph shall be limited to \$250 in the aggregate from any single source during any calendar year. Disclosure shall be filed in a report in the Office of the Secretary of State and shall be in the form prescribed in RSA 14-C.
  - (h) Acceptance of anything permitted to be accepted pursuant to RSA 14-C.
- II. The following shall not be considered gifts for the purposes of these Guidelines:
- (a) A political contribution as defined in RSA 664.
  - (b) A commercially reasonable loan made in the ordinary course of business.
  - (c) Repayment to an elected official, public official, public employee, constitutional official, or legislative employee of a bona fide loan made by such a person.
  - (d) A ceremonial plaque, award, or other commemorative object, which is personally inscribed to the recipient, and which has a value of \$150 or less.
  - (e) Objects which primarily serve an informational purpose provided in the ordinary course of business, such as reports, books, maps, or charts.
  - (f) Money in any form, an object, or any tangible or intangible thing of economic value, where the donor's act of giving is purely private and personal in nature and the money, object, or thing of economic value would have been given and received even if the person were not an elected official, public official, public employee, constitutional official, or legislative employee.
  - (g) Wages, salary, benefits, mileage, or payment for expenses received by the person in his or her regular course of employment or business which is unrelated to the government position held.
  - (h) Wages, salary, benefits, mileage, or payment for expenses paid to the person by the state, a political subdivision of the state, or the United States of America related to performance of official duties.
  - (i) Tickets or free admission from any source to a political, charitable, or ceremonial event provided that acceptance of any tickets or free admission

as permitted by this subparagraph shall be limited to \$250 in the aggregate from any single source during any calendar year and:

- (1) The proceeds of the event are subject to the political contributions and expenditure reporting law, RSA 664, or the Federal Election Campaign Act of 1971 as amended, provided that the recipient reports the source of the tickets or free admission pursuant to RSA 14-C:4; or
  - (2) The event is sponsored by a charitable organization that is registered with the division of charitable trusts, department of justice, or which is a charitable organization pursuant to section 501(c)(3) of the federal tax code, provided that the recipient reports the source of the tickets or free admission pursuant to RSA 14-C:4; or
  - (3) The event is primarily ceremonial or celebratory in nature and is public or, if by invitation only, is planned to have an attendance greater than 50 people, provided that the recipient reports the source of the tickets or free admission pursuant to RSA 14-C:4; or
  - (4) The event is published as an event open for attendance by any member or employee of the general court in the calendar of the senate or the house.
- (j) An expense reimbursement, including any expense reimbursement made by the general court to a legislator, legislative officer, or legislative employee.
- (k) An honorarium.
- (l) Meals and beverages having a value of more than \$50 consumed at a meeting or event, the purpose of which is to discuss official business, provided that acceptance of such meals and beverages as permitted by this subparagraph shall be reported pursuant to RSA 14-C:4 and limited to \$250 in the aggregate from any single source during any calendar year.

**5 DISCLOSURE FORMS.**

**I. LEGISLATOR'S FINANCIAL DISCLOSURE FORM.**

Every representative, senator, and officer of the House and Senate shall file with the Legislative Ethics Committee a financial interest disclosure form pursuant to RSA 14-B:8 no later than the third Friday in January in the first legislative session of the biennium. If the legislator's or officer's financial circumstances change, he or she shall file a new financial interest disclosure form prior to participation in any official activity which would have been affected by the change.

The form shall read substantially as follows:

**FINANCIAL DISCLOSURE FORM  
FOR STATE SENATORS, STATE REPRESENTATIVES  
AND OFFICERS OF THE GENERAL COURT**

As prescribed by RSA 14-B:8

Name of Legislator/Officer \_\_\_\_\_  
(CIRCLE ONE) (PRINT NAME)  
Address \_\_\_\_\_  
(STREET) (TOWN/CITY) (ZIP CODE)  
Office held \_\_\_\_\_ County/District \_\_\_\_\_  
Telephone Number \_\_\_\_\_

**I. Sources of Income**

Identify below the name, address, and type of any business, profession, or other organization (including any unit of government) in which you or a household member served as an employee, member, officer, director, associate, partner, or proprietor, or in any other professional or advisory capacity, from which you or a household member derived any income in excess of \$10,000 during the preceding calendar year. Sources of retirement benefits from any business, professional, or other organization must be included. Social Security, federal retirement and/or federal disability benefits do not need to be included.

For purposes of this form a "household member" means any person living in the same domicile as you and who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parent.

- 1) a) Name of business, profession, or other organization \_\_\_\_\_  
b) Address of organization \_\_\_\_\_  
c) Type of organization \_\_\_\_\_
  
- 2) a) Name of business, profession, or other organization \_\_\_\_\_  
b) Address of organization \_\_\_\_\_  
c) Type of organization \_\_\_\_\_
  
- 3) a) Name of business, profession, or other organization \_\_\_\_\_  
b) Address of organization \_\_\_\_\_  
c) Type of organization \_\_\_\_\_

*(attach additional sheets if necessary)*

**If you or a household member had no qualifying income, indicate by INSERTING YOUR INITIALS after the following statement.**

**My or my household member's income does not qualify \_\_\_\_\_**

## **II. Disclosure of Financial Interests**

Identify and describe below any financial interest you or a household member may have. For the purposes of this form, you have a "financial interest" in a business, profession, occupation, group, or matter listed in this section if a change in law, administrative rule, or other official action by the General Court affecting the listed business, profession, occupation, group, or matter would potentially have a financial effect on you or a household member that is distinct from and greater than the interests of the public at large.

**Please note:** If your participation in an official activity creates a conflict of interest **not disclosed** by the information on this form, **you must complete and file** a Declaration of Intent Form in accordance with section 6 of the Ethics Guidelines. If such activity could reasonably have a greater benefit or detriment to you or a household member than other members of a group identified in this form, a Declaration of Intent Form is required. Furthermore, if such activity requires recusal as provided in section 6-a of the Ethics Guidelines, a Declaration of Intent Form is required. See sections 6 and 6-a of the Ethics Guidelines for information regarding particular conflicts of interest you may have.

Do you or a household member have a financial interest, as defined above, in any of the following businesses, professions, occupations, groups, or matters? Check any of the following which apply and describe the nature of your or your household member's financial interest:

(a) Any profession, occupation, or business licensed or certified by the State of New Hampshire. List each such profession, occupation, or category of business:

\_\_\_\_\_

(b) Health Care

Describe: \_\_\_\_\_

(c) Insurance

Describe: \_\_\_\_\_

(d) Real estate, including brokers, agents, developers, and landlords

Describe: \_\_\_\_\_

(e) Banking or financial services

Describe: \_\_\_\_\_

(f) State of New Hampshire, county or municipal employment

Describe: \_\_\_\_\_

(g) New Hampshire Retirement System

Describe: \_\_\_\_\_

(h) Current use land assessment program

Describe: \_\_\_\_\_

(i) Restaurants and lodging

Describe: \_\_\_\_\_

(j) Sale and distribution of alcoholic beverages

Describe: \_\_\_\_\_

(k) Practice of law

Describe: \_\_\_\_\_

(l) Any business regulated by the Public Utilities Commission

Describe: \_\_\_\_\_

(m) Legal forms of gambling or charitable gaming

Describe: \_\_\_\_\_

(n) Education

Describe: \_\_\_\_\_

(o) Water resources

Describe: \_\_\_\_\_

(p) Agriculture

Describe: \_\_\_\_\_

(q) New Hampshire taxes: Business Profits Tax, Business Enterprise Tax

\_\_\_\_\_

(r) Other

Describe: \_\_\_\_\_

I hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief.

Notice to electronic filers: Typing your first and last name states your intent to sign this form electronically, in accordance with RSA 294-E:2, VIII.

\_\_\_\_\_  
SIGNATURE OR TYPED FIRST AND LAST NAME OF LEGISLATOR/OFFICER

\_\_\_\_\_  
DATE

RSA 14-B:10 Penalty. Any representative, senator, or officer of the House of Representatives or Senate who knowingly fails to file the form required under RSA 14-B:8 or who knowingly files a false statement on such form shall be guilty of a misdemeanor. (This penalty applies whether the form is signed personally or electronically.)

**Complete and return to the Legislative Ethics Committee, State House Room 112, no later than the third Friday in January.**

**II. LEGISLATOR’S NON-FINANCIAL PERSONAL INTERESTS DISCLOSURE FORM.**

A legislator who has a non-financial personal interest may file with the Legislative Ethics Committee a general disclosure of non-financial personal interests form. If participation in an official activity creates a conflict of interest not disclosed by the information on the general disclosure of non-financial personal interests form, a legislator must complete and file a Declaration of Intent Form in accordance with section 6 of the Ethics Guidelines.

The form shall read substantially as follows:

**GENERAL DISCLOSURE OF  
NON-FINANCIAL PERSONAL INTERESTS FORM**

A “non-financial personal interest” exists where a legislator or household member has a responsibility for the welfare of an organization, whether nonprofit or for profit, by virtue of holding a position with a fiduciary responsibility, such as a board member, trustee, or director.

**Description of Non-Financial Personal Interest**

Identify and describe below the non-financial personal interest you or a household member may have. A “household member” is any person living in the same domicile as you who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parent.

Please identify each “non-financial personal interest.”

NAME OF LEGISLATOR:

LIST ORGANIZATIONS AND YOUR POSITION:

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NAME OF HOUSEHOLD MEMBER AND RELATIONSHIP TO YOU:

LIST ORGANIZATIONS AND POSITION:

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Signature

Date

Printed Name of Legislator

## **6 CONFLICT OF INTEREST PROCEDURE.**

- I. No legislator having a conflict of interest shall participate in any official activity associated with the matter without complying with the procedure set forth in this section.
- II. No declaration of intent form shall be required if no benefit or detriment could reasonably be expected to accrue to the legislator or the legislator's household member as a member of a business, profession, occupation, or other group, to any greater extent than to any other member of such business, profession, occupation, or other group, provided that disclosure of the legislator's or household member's membership is made in the Financial Disclosure Form pursuant to section 5 of the Ethics Guidelines. For purposes of these guidelines, groups shall be limited to those generally recognized and of a substantial size.
- III. No declaration of intent form shall be required if a legislator discloses a non-financial personal interest of the legislator or legislator's household member on the General Disclosure of Non-Financial Personal Interests Form.
- IV. When a legislator becomes aware that a conflict of interest exists or may exist and the conditions set forth in paragraphs II and III are not met, the legislator shall proceed in accordance with either subparagraph (a) or (b):
  - (a) Declare that the legislator will not participate in any official activity associated with the issue; or
  - (b) Declare that the legislator intends to participate in the official activity and provide a description of the conflict of interest.
- V. The declaration required in subparagraphs IV (a) and (b) of this procedure shall be publicly announced prior to any participation by the legislator in the official activity in accordance with section 7 of these Guidelines. The declaration of intent form shall be filed with the clerk of the member's respective body prior to the time of the official activity and be made available for public inspection during normal business hours.

### **6-a RECUSAL FOR CONFLICTS OF INTEREST**

- I. A legislator shall recuse from participation in any official legislative activity pertaining to legislation when:
  - (a) The legislator has a conflict of interest with the subject of the legislation as defined in RSA 14-B:1, I; and
  - (b) The legislator or a member of the legislator's household could reasonably be expected to incur a direct and substantial financial benefit or detriment as a result of the outcome of the legislative activity.
- II. A legislator shall recuse from participation in any official legislative activity pertaining to the specific legislation that causes a conflict when the legislator or a member of the legislator's household satisfies all of the following:
  - (a) Receives financial remuneration from an organization;
  - (b) Holds a position to exercise substantial influence over the affairs of the organization; and
  - (c) The organization has lobbied, testified, or otherwise attempted to influence the outcome of the official legislative activity.

- III. Exceptions to Recusal for Conflicts of Interest. A legislator shall not be required to recuse themselves from participation in any official legislative activity regarding preparation, review, or approval or disapproval of the state budget or general revenue bills.
- IV. Persons Having Substantial Influence. Those persons who hold any of the following powers, responsibilities, or interest having substantial influence over the affairs of the organization may include, but are not limited to, the following:
- (a) Voting members of the governing body;
  - (b) Presidents, chief executive officers, or chief operating officers; and
  - (c) Treasurers and chief financial officers.
- V. Facts and Circumstances Tending to Show Substantial Influence. Whether a person holds a position to exercise substantial influence over the affairs of the organization shall be determined based on the totality of the circumstances. Facts and circumstances tending to show that a person has substantial influence over the affairs of an organization include, but are not limited to, the following:
- (a) The person founded the organization;
  - (b) The person is a substantial contributor to the organization;
  - (c) The person's compensation is primarily based on revenues derived from activities of the organization, or of a particular department or function of the organization, that the person controls;
  - (d) The person has or shares authority to control or determine a substantial portion of the organization's capital expenditures, operating budget, or compensation for employees;
  - (e) The person manages a discrete segment or activity of the organization that represents a substantial portion of the activities, assets, income, or expenses of the organization, as compared to the organization as a whole; or
  - (f) The person owns a controlling interest (measured by either vote or value) in a corporation, partnership, or trust or other entity.
- VI. Facts and Circumstances Tending to Show No Substantial Influence. Facts and circumstances tending to show that a person does not have substantial influence over the affairs of an organization include, but are not limited to, the following:
- (a) The person has taken a bona fide vow of poverty as an employee, agent, or on behalf, of a religious organization;
  - (b) The person is a contractor (such as an attorney, accountant, or investment manager or advisor) whose sole relationship to the organization is providing professional advice (without having decision-making authority or a title of authority within the organization) with respect to transactions from which the contractor will not economically benefit either directly or indirectly (aside from customary fees received for the professional advice rendered);
  - (c) The direct supervisor of the individual does not hold a position to exercise substantial influence over the affairs of the non-governmental organization, business, or person;
  - (d) The person does not engage in any management decisions affecting the organization as a whole or a discrete segment or activity of the organization that represents a substantial portion of the activities, assets, income, or expenses of the non-governmental organization, business, or person, as compared to the organization as a whole; or

- (f) Any preferential treatment a person receives based on the size of that person's contribution is also offered to all other donors making a comparable contribution as part of a solicitation intended to attract a substantial number of contributions.

VII. A legislator shall file a declaration of intent form whenever the legislator is required to recuse from participation in any official legislative activity.

**New Hampshire General Court  
House/Senate Clerk's Office  
DECLARATION OF INTENT**

**Legislators are required to file this form whenever:**

- 1) A legislator or a legislator's household member has a **financial interest** that is not disclosed on the Financial Disclosure Form; or
- 2) A legislator or a legislator's household member has a financial interest that has been disclosed on the Financial Disclosure Form that could reasonably be expected to have a greater financial impact on a legislator or a legislator's household member than would accrue to any other member of that specific business, profession, occupation, or other group which the legislator listed in the Financial Disclosure Form; or
- 3) A legislator or a legislator's household member has a **non-financial personal interest** distinct from and greater than the public at large in the outcome of a matter that is the subject of official activity, and the legislator has not made this disclosure in the General Disclosure of Non-Financial Personal Interests Form; or
- 4) A legislator is required to recuse from participation in any official legislative activity (pursuant to RSA 14-C:4-a and Ethics Guidelines Section 6-a).

Name of Legislator: \_\_\_\_\_ Date Filed: \_\_\_\_\_

District/County: \_\_\_\_\_

Bill or other issue creating conflict of interest: \_\_\_\_\_

Subject matter of the bill or issue: \_\_\_\_\_

**WILL NOT PARTICIPATE**

**WILL RECUSE**

I have elected **not to participate**, or I am **recusing** myself from participation, in action on the above-mentioned bill or issue.

Reason for not participating or for recusing: \_\_\_\_\_

Nature of effect on legislator, household member, or organization: \_\_\_\_\_

Signature: \_\_\_\_\_

**WILL PARTICIPATE**

I **will participate** on the above-mentioned bill or issue.

Description of Conflict of Interest

Identify and describe below the conflict of interest you or a household member may have with this bill or issue. A household member is any person living in the same domicile as you who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parent.

This bill or issue creates a:  **financial interest**                       **non-financial personal interest**

Nature of effect on legislator, household member, public body, or organization: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Additional information: \_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_

**7 VERBAL DISCLOSURE OF CONFLICTS OF INTEREST.**

- I. In addition to filing a Financial Disclosure Form and/or a Declaration of Intent as required by law or by these Guidelines, a legislator who becomes aware of a financial or non-financial personal interest in the outcome of a matter shall make a verbal disclosure prior to engaging in verbal advocacy at any meeting of the general court or county delegation. The verbal disclosure shall consist of a short statement that identifies the financial interest or non-financial personal interest.
- II. The disclosures required pursuant to paragraph I of this section shall be made in the manner and on each occasion specified below:
  - (a) When testifying before a legislative committee regarding a bill or other matter in which the legislator has a special interest, the legislator shall make the disclosure prior to testifying.
  - (b) When appointed to a subcommittee working on a bill in which the legislator has a special interest, the disclosure shall be made upon appointment to the subcommittee and at the initial subcommittee work session.
  - (c) When serving as a member of a committee considering a bill in which the legislator has a special interest, the disclosure shall be made prior to engaging in verbal advocacy.
  - (d) When addressing a bill in which the legislator has a special interest before the full House or Senate, the disclosure shall be made prior to engaging in verbal advocacy. If the legislator does not speak on the bill, the legislator is not required to make a verbal disclosure.
  - (e) When appointed as a member of a Committee of Conference on a bill in which the legislator has a special interest, the disclosure shall be made at the initial meeting of the Committee of Conference.

- (f) When serving as a member of a county delegation considering a matter in which the legislator has a special interest, the disclosure shall be made to all participants prior to engaging in verbal advocacy.

## **8 LEGISLATIVE EMPLOYEE CODE OF CONDUCT.**

### **I. General Principles of Conduct.**

- (a) A legislative employee or officer shall view his or her work for the General Court as a public service and shall strive to promote the common good of the citizens of the State of New Hampshire through the devotion of his or her professional talents and energies to the support of the General Court in its mission as the representative of the citizens of this state.
- (b) A legislative employee or officer shall act in a way that makes him or her worthy of the trust the General Court places in staff members and officers.
- (c) A legislative employee or officer shall provide objective advice, information, and alternatives to legislators, independent of the employee's or officer's personal beliefs or interests or the interests of third parties. A legislative employee or officer shall avoid activities that conflict with this objectivity or give the appearance of conflict.
- (d) A legislative employee or officer shall treat all legislators with dignity and respect and provide services of equal quality to the employee's or officer's appropriate legislative clientele.

### **II. Prohibited Activities.**

- (a) The activities listed in this paragraph are prohibited. Making disclosure in compliance with paragraph IV of this section does not excuse or absolve legislative officers or employees from compliance with the provisions of this paragraph or the provisions of RSA 14-C:3 prohibiting certain activities.
- (b) A legislative employee or officer shall not violate the provisions of RSA 14-C.
- (c) A legislative employee or officer shall not accept any gift from givers who wish to influence the work activities of the employee or officer.
- (d) A legislative employee or officer shall not accept any employment or serve in any position, in addition to legislative employment, which would impair the employee's or officer's independence of judgment.
- (e) Except within the scope of employment, a legislative employee or officer shall not provide any service to a lobbyist or any other person in any matter or action pending before the General Court.
- (f) A legislative employee or officer shall not use or attempt to use the employee's or officer's official position to (1) personally obtain any privilege, exemption, special treatment, or any other thing of value, or (2) obtain any such benefit for others except as required to perform duties within the scope of employment.
- (g) A legislative employee or officer shall not accept or solicit anything of value for the private benefit of the employee or officer, or the employee's or officer's immediate family or household member under circumstances in which it can be reasonably inferred that the legislative employee's or officer's independence of judgment is impaired or is intended as a reward for any official action.
- (h) A legislative employee or officer shall not use state-provided services or facilities for private gain.
- (i) A legislative employee or officer shall not disclose confidential information acquired by reason of the employee's or officer's official position to any person

or group not entitled to receive such information, nor shall the employee or officer use such information for personal gain or benefit or for the benefit of others.

- (j) A legislative employee or officer shall not enter into any contract with a state agency involving services or property, unless the contract is made after public notice and competitive bidding; except in cases where public notice and competitive bidding are not required, the contract or agreement shall be filed with the employee's or officer's supervisory officer.

III. Permitted Activities. The activities listed in this paragraph are permitted.

- (a) Acceptance of awards, prizes, honors, or gifts of a minimal value.
- (b) Acceptance of informational material relevant to the employee's or officer's official function, such as books, pamphlets, reports, documents, periodicals, or other information that is recorded in a written, audio, visual, or digital format.
- (c) Acceptance of expense reimbursement for the reasonable expenses for attendance, registration, travel, meals, and lodging related to a bona fide conference, meeting, seminar, or educational, cultural, or informational program related to the legislative employee's or officer's employment so long as disclosure of any such reimbursement is made no later than the last day of the month following the month during which the expense reimbursement was received. This disclosure shall be filed in the Office of the Secretary of State and shall be in a form prescribed in RSA 14-C. This provision shall not be construed to require reporting of an expense reimbursement made by the general court to a legislative employee or officer.
- (d) Acceptance of an honorarium so long as disclosure is made no later than the last day of the month following the month during which the honorarium was received. This disclosure shall be filed in the Office of the Secretary of State and shall be in the form prescribed in RSA 14-C.
- (e) Acceptance of meals or beverages with a value of \$50 or more consumed at a meeting or event the purpose of which is to discuss official business so long as disclosure is made no later than 10 days following the meeting or event at which the meals or beverages were consumed. Meals or beverages accepted under this subparagraph shall be limited to \$250 in the aggregate from any single source during any calendar year. Disclosure shall be filed in a report in the Office of the Secretary of State and shall be in the form prescribed in RSA 14-C.
- (f) Solicitation or acceptance of gifts, grants, or donations on behalf of an official meeting, conference, or event held within the state of New Hampshire of a state or national legislative association to which the general court pays dues and which includes among its membership the New Hampshire general court, officers, or staff. Any legislative employee or officer who receives gifts, grants, or donations pursuant to this subparagraph shall disclose the source and amount of any gift, grant, or donation to the Office of the Secretary of State in the form prescribed in RSA 14-C.
- (g) Acceptance of anything permitted to be accepted pursuant to RSA 14-C.

IV. Disclosure Procedure. When a legislative employee or officer becomes aware that his or her participation in a particular activity presents a conflict of interest or conflicts with his or her objectivity or gives the appearance of a conflict, the employee or officer shall immediately make disclosure of this fact to his or her supervisory officer. All such reports shall be forwarded to the Chief of Staff of the House, or the Chief of Staff of the Senate, or the Director of the Office of Legislative Services, or the Legislative Budget Assistant, as appropriate.