

Dear Members of the Ethics Committee,

I have been asked to accompany the Turkish Cultural Center of New Hampshire on a trip this August to Turkiye. However, due to your decision, this trip maybe in jeopardy.

Each legislator is paying for their flight to and from Istanbul, plus paying an additional \$400 to cover other expenses.

With regards to the value of gifts, I have been informed by the Turkish Cultural Center of New Hampshire that there was no cost for the gifts, they are donations made to the host of the several meetings that the legislators will attend. These items were purchased at cost and therefore should not be a problem. The items that will be given to the legislators are ceremonial plates, pen sets, scarves, etc. and would fall under the value of \$25.00. Occasionally, an expensive gift might be handed out, the legislator can always leave it with hotel staff or donate it to the Turkish Cultural Center of New Hampshire.

The Turkish Cultural Center tries to keep expenses down for this trip, meals are sponsored by a group the legislators will be meeting with, so there is no cost for meals. By hosting these trips, the Turkish Cultural Center is trying to establish and contribute to relations between the State of New Hampshire and Turkic countries in terms of culturally, economically and educational. One of the important impacts of these trips is to attract Turkish investors to New Hampshire. Within this respect, they have initiated many projects which TCC brought 15 investors from Turkey to look for investment opportunities to also help the economic development in New Hampshire.

Two university representatives from Turkey and Romania signed agreements with Mount Washington College for student and faculty exchanges and study abroad programs. Rivier College is also one of the schools that have signed agreements with Turkish Universities.

Along with the trip for legislators, the TCC is hosting a judicial trip, as well as an academics trip consisting of members from different universities and colleges here in New Hampshire.

These trips are not only to promote their culture and build economic relationships but also establish friendships and dialogues between different cultures and faiths.

On a more personal note, my first trip to Turkey, I was very ignorant as to the Muslim culture. In this country we hear more of the radical Muslim terror groups. I pictured all Muslims to be very anti-American, hostile towards Americans and very angry. What I experienced between the two countries of Azerbaijan and Turkey was a totally different picture.

I ask that you reconsider your decision and allow these trips to continue to strengthen the bond between these countries have been great allies to our nation for many years.

Respectfully,

Rep. Lenette M. Peterson

Hillsborough Dist. 21

Merrimack, NH

603-533-0464

Lenette.peterson@leg.state.nh.us

March 5, 2014

Dear New Hampshire Ethics Committee Chair and members,

As the President of Turkish Cultural Center New Hampshire, I have recently learned that the Ethics Committee issued a letter regarding the trips that we organize. It is understood that there are some misconceptions or misunderstandings. As far as we know these type of trips have been offered before by other countries such as Taiwan and Israel.

Turkish Cultural Center (TCC) is a non-profit, non-governmental civic institution which is founded and funded by Turkic American in NH. As indicated in the invitation letter of the trip program, TCC is committed to community involvement and actively encourages international cultural exchanges via special events and projects such as business exchange, multicultural discussion forums and international trips to Turkiye.

By organizing these trips we aim to establish and contribute to relations between the State of New Hampshire and Turkic countries in terms of culturally, economically and educational. One of the important impacts of these trips is to attract Turkish investors to New Hampshire. Within this respect, we have initiated many projects which TCC brought 15 investors from Turkey to look for investment opportunities to also help the economic development in NH.

Two university representatives from Turkey and Romania signed agreements with Hesser College (now Mt. Washington College) for student and faculty exchanges and study abroad programs. Rivier College is also one of the schools that have signed agreements with Turkish Universities.

Besides that we are preparing one another trip for academics consisting of different universities' representatives such as UNH, Dartmouth and SNHU. These trips focus on to establish educational ties between two states.

As a result of these initiatives, we will see Turkish students choosing NH for their academic carrier instead of Boston or New York.

During the trips, we visit many local officials, universities, schools, NGOs and local businesses. All these visits have key role to establish bonds between two cultures. As a result of our first trips we have initiated a sister city project with Turkish cities. Hopefully, after the local elections in Turkey we are planning to finalize it.

Lastly, I would like to say that all these are not only to promote our culture and build economic relationships but also establishing friendship and dialogue between different cultures and faiths. We strongly recommend you to check our website. We organize annual friendship dinners. In the last dinner program in October we invited Greek Orthodox Bishop Demetrios and Dr. Jon Pahl from Philadelphia Lutheran Seminary to speak as our keynote speakers. Our message was clear and pure, just friendship that's all what we seek from our participants.

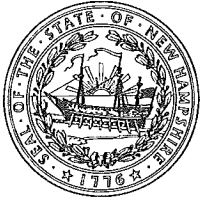
I also would like to inform the committee, all expenses are not paid by TCC. Trip participants are asked to purchase their international tickets and pay \$400 for each individual attending.

We kindly request the ethic committee to revise her notice letter to the legislators and update them with the information provided with this letter.

Kind Regards,

Eyup Sener
President





State of New Hampshire

GENERAL COURT

LEGISLATIVE ETHICS COMMITTEE

State House - Room 112
Concord, NH 03301-4951

March 21, 2014

Honorable Lenette M. Peterson
1 Elizabeth Drive
Merrimack, N.H. 03054-4576

Re: Advisory Opinion 2014-1

Dear Representative Peterson:

Thank you for your recent letter to the Legislative Ethics Committee regarding your proposed trip to Turkey, sponsored by the Turkish Cultural Center New Hampshire, and the communication from the Cultural Center that accompanied it. Preliminarily, we note that your letter and the Cultural Center's communication suggest that the Committee has previously decided against the proposed trip. This is not the case. What the Committee actually did was to issue Interpretive Ruling 2013-1, interpreting the provisions of RSA 15-B regarding legislative travel in general. The Committee has not previously considered whether the specific travel you propose would satisfy the requirements of the Statute.

Accordingly, if you wish, we will treat your letter as a request for an Advisory Opinion, and proceed accordingly. That procedure will require the Committee to determine whether, on the specific facts presented, the proposed travel will qualify for exemption from RSA 15-B:3's general prohibition on acceptance of gifts by legislators. In making that determination, the Committee will apply the relevant statutory provisions, as interpreted in IR 2013-1. For your convenience we are enclosing a copy of our decision in IR 2013-1, and we ask that you share it with the Cultural Center.

To produce an Advisory Opinion that will be useful to you, the Committee will need some additional supporting information, to be sure we are proceeding based on accurate facts. In general, to qualify for exemption as a permissible Expense Reimbursement under RSA 15-B:5, this information should be directed at demonstrating that the trip will involve your attendance at a *bona fide* conference, meeting, seminar, or educational or informational program that relates to your duties as a legislator. In this context, a "bona fide" event is an event that is primarily focused on communicating

information relating to matters of legislative concern to New Hampshire legislators, rather than directed at providing opportunity for tourism, entertainment, or recreation. Among other things, it would be helpful if you would provide us with the following:

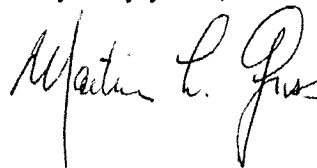
- (1) A detailed itinerary of the trip which describes what events you will be attending, and their content and purpose;
- (2) The estimated value of the accommodation, meals and other amenities to be provided to you by the sponsor;
- (3) A list of the tangible items that will be given to you as part of the trip, and the value of each item.

Also, if you wish us to consider whether the proposed travel qualifies for exemption as an Honorarium (RSA 15-B:7), we should be provided with supporting information demonstrating that the payment accorded to you is compensation for an appearance, speech, written article or other document, service as a consultant or advisor, or participation in a discussion group or similar activities related to legislative matters.

We are docketing this matter as Advisory Opinion 2014-1. We will proceed to consider the matter once we have received the additional supporting information. If you don't wish to proceed on this basis, you are, of course, entitled to withdraw your request.

We look forward to hearing further from you.

Very truly yours,

A handwritten signature in black ink that reads "Martin L. Gross". The signature is written in a cursive style with a large, looped initial "M".

Martin L. Gross
Chairman

Enclosure

cc: Members of the Legislative Ethics Committee

Legislative Ethics Committee

INTERPRETIVE RULING 2013- 1
RSA 15-B:2, IV, V(b)(11),VI; RSA 15-B:5, 6 and 7

Payments to Legislators for Sponsored Travel and Services— What’s Allowed and What Isn’t

Questions have arisen about what payments or other items of value legislators may lawfully accept in connection with their participation in travel paid for by third persons. This Ruling interprets RSA 15-B:2, IV, V(b)(11),VI; RSA 15-B:5, 6 and 7, to address and explain the circumstances in which legislators are allowed to accept:

(a) Payment or reimbursement from third persons, for attendance at events by legislators in their capacity as such. It does not address circumstances where attendance at the event is fully paid for solely by the legislator, or where attendance at the event is purely personal and unrelated to the legislator’s status as such; and

(b) Payment from third persons for certain services performed by legislators, associated with legislative activity. It does not address payments for services unrelated to legislative activity.

I. Prohibition. Under RSA 15-B:3, “Gifts” to legislators are generally prohibited, unless specifically exempted by law. Unless specifically exempted, money payments to legislators by third persons are prohibited. Also prohibited are transfers by third persons to legislators of items of value other than money, unless the item is worth less than \$25.00, or otherwise qualifies for a specific statutory exemption from the definition of “gift.”

II. Available Exemptions. Legislators may accept payment for travel to and attendance at an event if the payment qualifies as an “expense reimbursement.” Legislators may also accept payment as an “honorarium” for certain services, as defined by law. These two categories have differing characteristics.

A. Expense Reimbursement. This exemption allows legislators to accept payment for the costs of travel to and attendance at an event, for example, fares, meals, accommodation, registration or attendance fees. The exemption applies only where the event is a *bona fide* conference, meeting, seminar, or educational or informational program that relates to the legislator’s duties. In this context, a “bona fide” event is taken to mean an event that is primarily focused on communicating information relating to matters of legislative concern to New Hampshire legislators, rather than directed at providing opportunity for tourism, entertainment, or recreation. Reimbursement for “junkets” or “see the sites” trips as part of a legislative group doesn’t qualify for the exemption—the event must offer, as a genuine and central element, organized learning about subjects that are or may become the focus of legislative activity in New Hampshire.

Also, this exemption does not require payment directly to the legislator, or that the expenses be prepaid by the legislator. The exemption is also available for costs that are waived, forgiven, reduced, or prepaid by a third party.

B. *Honorariums*. This exemption is not directed at costs of attending an event, but rather at allowing legislators to accept payment from third parties for performance of certain services related to the legislator's duties or position as such. It allows legislators to receive payment for an appearance, speech, written article or other document, service as a consultant or advisor, or participation in a discussion group or similar activities related to legislative matters. A qualifying service must actually be performed, but need not be performed at an event, and a trip need not be made to perform them.

III. *Reporting Requirement*. Subject to limited exceptions, to qualify for exemption, both Expense Reimbursements and Honorariums must be reported in writing on a form provided by and filed with the Secretary of State no later than the last day of the month following the month in which the honorarium or expense reimbursement was received. The name of the recipient must be identified, as well as the name, address and other information identifying the donor. However, there are some differences in the information that must be reported.

A. *Reporting Expense Reimbursements*. Reports are not required for reimbursement made by an organization to which the state pays dues, when the reimbursement is provided because of the dues paid (for example, National Conference of State Legislatures). For other events, reports must include:

- 1) The value of the reimbursement;
- 2) A brief description of the event that gave rise to the reimbursement; and
- 3) A copy of the agenda or an equivalent document which discloses the subjects addressed and the time schedule of all activities at the event.

B. *Reporting Honorariums*. Reports are not required where payment has been made by the state, a county, or the United States of America. For other honorariums, reports must include:

- 1) The value of the honorarium; and
- 2) A brief description of the service that gave rise to the honorarium.

IV. Acceptance of items of value other than a permitted expense reimbursement or honorarium. Items of value received other than as permitted reimbursement for event expenses or permitted payment for services, are exempt only if they qualify for some other specific exemption. For example, if legislators attending an event are offered souvenirs or other items to mark their attendance, such items with value under \$25.00 would be permitted, but items worth \$25.00 or more would be prohibited gifts, unless qualifying for some specific exemption under RSA 15-B:2, V(b) or other statute.

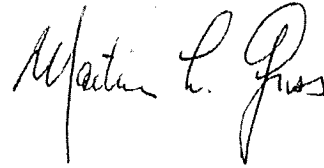
The same rule applies to acceptance of meals and entertainment paid for by third persons (for example, lobbyists) which are not an official part of an event that qualifies for expense reimbursement. Unless qualifying for a specific exemption under RSA 15-B:2, V(b) or other statute, such meals or entertainment would be prohibited gifts if worth \$25.00 or more.

This Ruling also applies to payments to legislative officers and employees. In specific cases, if there is doubt about whether a proposed payment qualifies as a permissible expense reimbursement or an honorarium, a legislator, legislative officer, or employee should request an Advisory Opinion from the Committee. RSA 14-B:3, I (c).

August 20, 2013

Martin L. Gross, Chairman
Representative Janet G. Wall, Vice Chairman
Representative Jordan G. Ulery
Senator Jim Rausch
Senator Martha Fuller Clark
Attorney Wilfred L. Sanders, Jr.
Mr. David A. Welch

For the Committee,

A handwritten signature in black ink that reads "Martin L. Gross". The signature is written in a cursive style with a large, looped initial "M".

Martin L. Gross
Chairman

[Vote 7-0]

Lambert, Richard

From: msmithpen@aol.com
Sent: Saturday, March 29, 2014 6:05 PM
To: Lambert, Richard
Subject: The Turkey trip

Dear Rich,

This is in reference to the announcement that has been made that legislators may not take the trip to Turkey sponsored by the Turkish-American Council. I am not sure if that is an official decision by the Ethics Committee or a pronouncement by the chair. However, as someone who took the trip to Azerbaijan and Turkey in 2013, I feel obliged to respond and hope that you will share this with members of the committee.

My understanding is that the objection is two-fold; first, that the gifts provided by our hosts were excessive, and second that it was a 'boondoggle' rather than something that substantively added to our ability to be effective state legislators.

Yes, the gifts were excessive. Most of us were uncomfortable accepting the gifts, and in fact we gave away or left behind a number of gifts. What we did not do was offend the gift givers whose culture involves welcoming guests into their homes, offering gifts, and otherwise demonstrating their view of hospitality. To have refused to accept the gifts would have been at least a demonstration of bad manners and at worst a demonstration of Americans' lack of respect for other cultures.

When we returned and completed an evaluation form, I specifically referred to the gifts and suggested to the Council that they find a way to explain in advance why only modest gifts should be offered.

As to the 'boondoggle' argument, it is false on its face. When I submitted my report I included copies of itineraries and program material from the two countries. They are on file and available for the committee to review. The days were long and substantive, with some time allocated for cultural experiences -- a mosque, museums, one of the major Greek archeological sites in the world. Those experiences helped to increase our understanding of cultures that are increasingly important in the world we live in.

In addition, we spent many long hours in large conferences and small meetings with business and political leaders, and the equivalent of state and local officials. We learned about their education system and their health system, we learned about public-private partnerships, we saw first-hand how a private entity has filled a gap in responding quickly to emergencies across the world. We met Presidents and Prime Ministers, and US current and former senators and representatives. We exchanged cards with people interested in exploring business opportunities in NH. And we interacted with legislators from many other states to better understand the differences in how we function from state to state in the United States of America. We had a rare opportunity to spend meaningful time with some of our NH colleagues whose political views differ one from another. The good will developed on this trip continues as we have slogged through a difficult session.

Obviously the governor recognizes that importance because she has chosen to go to Turkey later in the year to develop some of those opportunities.

We also, coincidentally, were there at the very moment that civilians chose to protest some government decisions. While our hosts made sure that we were safe, we were able to have a sense of the immediacy of pressures for change in governments across the world.

This was not a boondoggle.

I hope that the Ethics Committee will take another look at this decision. No one was 'bought' by the exchange of gifts, but we all learned much that informs how we legislate.

Thank you for your consideration.

Marjorie Smith, Representative

3/31/2014

Lambert, Richard

To: Smith, Marjorie
Cc: Martin Gross; Wall, Janet; Ulery, Jordan; [REDACTED] Rausch, James;
[REDACTED] Clark, Martha Fuller; David Welch; Jack Sanders Jr
[REDACTED]
Subject: RE: The Turkey trip
Attachments: Advisory Opinion 2014-1 - Request from Rep L Peterson - Turkey trip - 3.20.2014.pdf;
Advisory Opinion 2014-1 - Initial response to Rep. L Peterson - 3.21.2014.pdf

Representative Smith,

Rich Lambert has forwarded your message of March 29, 2014 regarding the "Turkey Trip." You may not be aware that Rep. Lenette Peterson has asked the Committee to render an Advisory Opinion regarding this year's proposed trip. Her request has been docketed as Advisory Opinion 2014-1, and she has been asked to provide certain additional information so the Committee can be fully informed about the nature of the trip. Copies of the file materials in AO 2014-1 are attached. Your letter will be added to the file materials and will be available for the Committee's consideration when the Committee goes forward after the requested information has been received from Rep. Peterson.

In the meantime, please be aware that the Committee has not previously ruled specifically on the trip Rep. Peterson has inquired about, nor has there been any position taken by me about it, nor to my knowledge has anyone associated with the Committee used the term "boondoggle" in relation to the proposed trip. What the Committee has previously done was to issue an Interpretive Ruling, IR 2013-1 intended to inform legislators about RSA 15-B's requirements concerning acceptance of Expense Reimbursement and Honorariums associated with sponsored legislative travel. After it was issued (by unanimous Committee vote), IR 2013-1 was published 3 times in the legislative calendars, and was posted to the Committee's website, where it has remained available for review by legislators and the public. The text can be read at <http://gencourt.state.nh.us/ethics/default.htm> <<http://gencourt.state.nh.us/ethics/default.htm>> , among the "new" postings listed at the lower left of the site.

Finally, I know nothing about the "announcement" you referred to in your message, purporting to instruct legislators that they cannot take the "Turkey trip." As far as I know, statutory requirements which may bear on the trip will be considered in due course by the Committee in AO 2014-1.

Thank you for your interest.
Best wishes,
Martin L. Gross
Chairman

3/31/2014