



STATE OF CONNECTICUT

STATE ETHICS COMMISSION

ADVISORY OPINION NUMBER 85-7

Consequences of Hosting a Reception for a Public Official

A national organization has held a reception for a member of Connecticut's General Assembly. The organization, the State Issues Forum, is composed of civic, public interest, and labor organizations. Its mission is stated to be to assist state governments in meeting their widening responsibilities by ensuring that all relevant points of view are heard in the forums of state government.

Neither the Forum nor any of its members is registered as a lobbyist in Connecticut. What appear to be Connecticut chapters, divisions, affiliates, or subsidiaries of such Forum members as the American Nurses Association, Common Cause, the National Education Association, Planned Parenthood, and the U.S. Public Interest Group, are.

The reception in honor of the Connecticut legislator was held outside Connecticut incident to a conference attended by members of state legislatures, including Connecticut's, from throughout the country.

The Ethics Commission has been asked whether funding the reception requires the State Issues Forum to register as a lobbyist in Connecticut, or whether the expense of the reception must be reported by the legislator in whose honor it was held.

In response to the second question, nothing in the statutes administered by the Ethics Commission -- the Code of Ethics for Public Officials and the Code of Ethics for Lobbyists (Chapter 10, General Statutes) -- requires a public official such as the legislator in question to report the cost of a reception in the legislator's honor. It makes no difference whether the reception's host is registered as a lobbyist in Connecticut or not. The legislator would have to report a fee or honorarium received at the reception if the reception were incident to a meeting held by the Forum and attended by the legislator (subdivision 1-83(b)(2), General Statutes), but there is no indication of either a meeting or an honorarium in this case. The cost of the reception could not be considered compensation to the guest of honor, reportable under subparagraph 1-83(b)(1)(B), General Statutes. If the State Issues Forum were registered in Connecticut, which it is not, it would have to report the cost of the reception, in detail if \$50 or more,

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whether or not any lobbying occurred at the reception. Subsection 1-96(b), General Statutes. Additionally, there would be a limit on the benefit to the legislator honored -- subsections 1-84(j), 1-97(a), General Statutes -- unless the reception could be considered a political contribution, otherwise reported as required by law (subsections 1-79(d), 1-91(g), General Statutes).

Returning to the question of whether the State Issues Forum, an "umbrella group" composed of national organizations which have affiliates, chapters, subsidiaries, or divisions registered as lobbyists in Connecticut, should register as a lobbyist in Connecticut, the answer is that it need not, if its only relationship to Connecticut is the reception and the fact that some Connecticut registrants are related to some of the national organizations comprising the Forum.

With exceptions not pertinent, persons required to register as lobbyists in Connecticut are those who, in lobbying and in furtherance of lobbying, expend or agree to expend or receive or agree to receive \$500 or more in a calendar year. Subsection 1-91(l), section 1-94, General Statutes. "Lobbying" means communicating directly, or soliciting others to communicate, with any official or his staff for the purpose of influencing administrative or legislative action (with an exception not pertinent). Subsection 1-91(k), General Statutes. Once an organization (including the Forum) communicates with a Connecticut public official or staff for the purpose of influencing legislative action, any expenditures for the benefit of a State public official or member of his family or staff would be considered in furtherance of lobbying, accumulating toward the \$500 threshold for registration. However, except as suggested by its mission, there is no indication that the Forum has lobbied any Connecticut public official or staff member. A reception in honor of a public official alone does not require the host to register as a lobbyist.

Moreover, the fact that an organization is composed of lobbyists would not require the organization to register, even if the member organizations were registered as lobbyists in Connecticut. The Code of Ethics for Lobbyists does not look behind an organization to consider the members who belong and contribute to the organization. Cf. Ethics Commission Advisory Opinion No. 78-17, 42 C.L.J. No. 8, p. 14 (August 22, 1978). (The special situation considered in Ethics Commission Advisory Opinion No. 80-13, 42 C.L.J. No. 4, p. 30 (July 22, 1980), would not apply to the Forum, with its diverse

membership.) The Forum would be required to register in Connecticut only if it, itself, lobbied Connecticut officials or their staff and met the \$500 threshold incident to lobbying and activities in furtherance of lobbying.

By order of the Commission,

A handwritten signature in cursive script that reads "Noreen O. Steele".

Noreen O. Steele
Chairperson

Dated 9/9/85

