

MINUTES
LEGISLATIVE ETHICS COMMITTEE
OCTOBER 9, 2018 MEETING
{Approved: November 14, 2018}

The Legislative Ethics Committee (RSA 14-B:2) met on Tuesday, October 9, 2018, at 1:00 P.M. in Room 104 of the Legislative Office Building.

The following members were present: the Honorable Donna Sytek, Chairman, Senator Sharon M. Carson, Vice Chairman, Senator Martha Fuller Clark, Representative David A. Welch, Attorney David H. Bradley, and the Honorable David W. Hess. Representative Janet G. Wall was unable to attend. Also present: Richard M. Lambert, Executive Administrator, Terry Pfaff, House Chief of Staff, Richard Lehmann, Esq., Senate Legal Counsel, James Cianci, Esq., House Legal Counsel, and Paul Smith, House Clerk.

The Committee's meeting consisted of the following items:

ITEM#1

Consideration of the draft *Minutes* from the Committee's meeting held on August 29, 2018.

Following review, Chairman Sytek noted an error in Item #3 in which a legislator's surname was omitted. Senator Carson moved to approve the *Minutes* as corrected. Representative Welch seconded the motion and the Committee voted 5 to 0, with 1 abstention, to approve the *Minutes*.

ITEM#2

Discussion of a proposed Legislative Services Request (LSR) "An Act, allowing for gifts, grants, and donations for state and national legislative association events."

House Clerk Paul Smith and House Legal Counsel James Cianci described the proposed legislation and answered questions from the Committee. Following discussion, the Committee recommended some changes.

ITEM#3

Consideration of a request for an Advisory Opinion from Senator Bob Giuda.

Senator Giuda addressed the Committee and answered questions about a consulting contract he would pursue with the New Hampshire Department of Transportation (DOT).

Following consideration of the matter, the Committee agreed to advise Senator Giuda that his solicitation and acceptance of the job would not violate applicable Ethics Guidelines or laws. There was consensus that the Committee would respond with an advisory opinion that held: 1) the term "giver" in Ethics Guidelines Prohibited Activities Paragraph II, Subparagraph (b) does not mean the state of New Hampshire in the context of Senator Giuda's inquiry; 2) the Committee assumes that DOT would pursue its standard process for awarding consulting contracts; and 3) Senator Giuda should fulfill the normal requirements for disclosure of his financial interests relating to the DOT job.

ITEM #4

New/Other Business.

There was no new/other business.

ITEM #5

Scheduling of the next meeting.

The Committee's next meeting will be at the call of the chair.

The Committee's meeting adjourned at approximately 2:30 P.M.

{Prepared by: Richard M. Lambert, Executive Administrator}