

MINUTES
LEGISLATIVE ETHICS COMMITTEE
FEBRUARY 21, 2018 MEETING
{Approved: March 19, 2018}

The Legislative Ethics Committee (RSA 14-B:2) met on Wednesday, February 21, 2018, at 2:30 P.M. in Room 104 of the Legislative Office Building.

The following members were present: the Honorable Donna Sytek, Chairman, Senator Martha Fuller Clark, Representative Janet G. Wall, Representative David A. Welch, and Attorney David H. Bradley. Senator Sharon M. Carson, Vice Chairman, and the Honorable David W. Hess were unable to attend. Also present: Richard M. Lambert, Executive Administrator.

The Committee's meeting consisted of the following items:

ITEM#1

Consideration of the draft *Minutes* from the Committee's meeting held on January 24, 2018.

Following a brief discussion it was determined that the Committee lacked the required quorum of 4 members present who were also present at the January 24 meeting, therefore, the vote on whether to approve the *Minutes* was postponed to the next meeting.

ITEM #2

Review of 2018 Financial Disclosure Filings.

Mr. Lambert distributed an updated report indicating that following the committee's review of Financial Disclosure filings at the January 24, 2018 meeting, 8 of the 10 House members who had not filed subsequently did. {Those members were (with date filed): Rep. Skip Cleaver (1/24/18); Rep. Daniel Donovan (1/25/18); Rep. Francis Chase (1/30/18 & 2/9/18); Rep. Robert Walsh (2/1/18); Rep. Christopher Herbert (2/6/18); Rep. Armand Forest (2/8/18); Rep. Steve Hellwig (2/8/18); and Rep. Anthony Pellegrino (2/15/18).}

The report stated that two House members -- Rep. Michael Brewster and Rep. Nick Zaricki -- had not filed.

ITEM #3

Nonpublic Session to deliberate on complaints. {Confidential}

Senator Fuller Clark moved to enter nonpublic session pursuant to RSA 14-B:3, I(d) to deliberate on complaints. Attorney Bradley seconded the motion and the Committee voted as follows:

Attorney Bradley	Yea	
Senator Fuller Clark	Yea	
Chairman Sytek	Yea	
Representative Wall		(not yet present)
Representative Welch	Yea	

{MOTION ADOPTED}

{Nonpublic Session}

Senator Fuller Clark moved to exit nonpublic session. Attorney Bradley seconded the motion and the Committee voted as follows:

Attorney Bradley	Yea
Senator Fuller Clark	Yea
Chairman Sytek	Yea
Representative Wall	Yea
Representative Welch	Yea

{MOTION ADOPTED}

Chairman Sytek announced that in its non-public session the Committee voted to initiate complaints against House members who had not filed a 2018 Financial Disclosure Form.

ITEM #4

Update on the status of 2018 Senate Bill 343, “An Act relative to legislative ethics guidelines.”

Senator Fuller Clark, who is a member of the Senate Committee on Rules, Enrolled Bills, and Internal Affairs, the committee to which the bill was referred, said that the committee had not yet been called back to act on the bill. She pointed out that the Senate would have to act on the bill by March 22, which is the “crossover deadline” for acting on Senate bills.

Chairman Sytek then asked for the Committee’s thoughts on whether SB 343 could be used as a vehicle to amend the statute and the Ethics Guidelines to require the filing of Financial Disclosure forms biennially instead of annually.

Senator Fuller Clark asked if currently legislators who are elected in special elections after a legislative session has started are provided a Financial Disclosure Form and informed of their responsibility to file.

Mr. Lambert said they are.

Senator Fuller Clark then said that it made sense to her to make the change as long as it is clear that if someone’s financial situation changes during the biennium they would have to amend their filing. Chairman Sytek quoted existing language from RSA 14-B:8: “If the legislator's or legislative officer's financial circumstances change, he or she shall file a new financial disclosure form prior to participation in any official activity which would have been affected by the change.” Senator Fuller Clark indicated that the existing language requiring amended filings when financial circumstances change was sufficient and the other Committee members appeared to agree.

Following further discussion, Attorney Bradley moved to recommend to the Senate Committee on Rules, Enrolled Bills, and Internal Affairs that they adopt an amendment to the statute and the Ethics Guidelines to change the requirement for filing the Financial Disclosure form annually to biennially by the third Friday in January in the first legislative session of the biennium. Representative Welch seconded the motion and the Committee voted 5 to 0 in favor of the motion.

ITEM #5

New/Other Business.

{ There was no new or other business. }

ITEM #6

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 3:45 P.M.

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