

MINUTES  
LEGISLATIVE ETHICS COMMITTEE  
AUGUST 15, 2018 MEETING  
{ Approved: August 29, 2018 }

The Legislative Ethics Committee (RSA 14-B:2) met on Thursday, August 15, 2018, at 1:00 P.M. in Room 104 of the Legislative Office Building.

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

The Committee's meeting consisted of the following items:

ITEM#1

Consideration of the draft *Minutes* from the Committee's meeting held on August 2, 2018.

Following review, Representative Welch moved to approve the *Minutes* as presented. Senator Carson seconded the motion and the Committee voted 5 to 0, with 1 abstention, to approve the *Minutes*.

ITEM #2

Consideration of an amendment to the *Ethics Guidelines* to comply with statutory changes resulting from 2018 SB 343 (Chapter 314).

The Committee reviewed a draft amendment that would amend the definitions of "expense reimbursement" and "gift" and amend Guidelines Sections 3, Prohibited Activities, 4, Permitted Activities: Permitted Gifts, and 8, Legislative Employee Code.

Following discussion, Senator Fuller Clark moved to propose the amendment as presented for the purposes of publication in the Senate and House calendars and a public hearing. Senator Carson seconded the motion and the Committee voted 6 to 0 in favor of the motion.

The Committee scheduled a public hearing on August 29, 2018, at 1:00 P.M.

ITEM #3

Consideration of an amendment to the *Procedural Rules* regarding coordination with the Attorney General's Office when they are investigating matters which are also the subject of a complaint filed with the Committee, and complaints filed by the chairperson for failure to file a Financial Disclosure Form.

The Committee reviewed a draft amendment as well as a revised version of the amendment provided House Legal Counsel Jim Cianci.

Following discussion, Senator Fuller Clark moved to propose the amendment, as revised to incorporate Attorney Cianci's amendment, for the purposes of publication in the Senate and House calendars and a public hearing. Senator Carson seconded the motion and the Committee voted 6 to 0 in favor of the motion.

The Committee scheduled a public hearing on August 29, 2018, at 1:00 P.M.

ITEM #4

Consideration of a request for an Advisory Opinion submitted by Representative Gregory Hill (Merr./03).

Representative Hill asked whether it would be permissible for him to accept employment with the Children's Scholarship Fund (CSF), a scholarship organization created under the New Hampshire Education Tax Credit Scholarship Program, "to fundraise in the business community and create an income by doing so." He described his role with CSF as one involving "travel throughout NH explaining the benefits to individuals and businesses of donating to the NH Education Tax Credit Scholarship Program." He stated that his compensation would come from the CSF "as a percentage of their administrative fee as outlined in the legislation." Representative Hill sponsored the legislation that created the program and subsequent legislation that affected the program.

The Committee held a lengthy discussion, after which Senator Fuller Clark moved that the Committee advise Representative Hill that he may accept employment with the CSF but that he would violate the Ethics Guidelines if he engages in any of the activities listed in Guidelines Section 3, II (c), (d), and (f) on behalf of his employer. Senator Carson seconded the motion, and the Committee voted 6 to 0 in favor of the motion.

Chairman Sytek said that a draft response would be circulated to the Committee for their input.

ITEM#5

Discussion of policies, rules, or legislation in other states relative to "Ethics in Social Media."

Senator Carson said that she asked Senate Research to research what legislatures in other state have adopted. The Committee reviewed a summary of other states' policies prepared by Senate Research. After review, Senator Carson suggested that the Committee may want to have a conversation about it down the road.

ITEM #6

New/Other Business.

There was no new or other business.

ITEM #7

Scheduling of the next meeting.

The Committee's scheduled its next meeting for Wednesday, August 29, 2018 at 1:00 P.M.

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

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