

MINUTES  
LEGISLATIVE ETHICS COMMITTEE  
JUNE 24, 2024, MEETING  
{ Approved: September 16, 2024 }

The Legislative Ethics Committee (RSA 14-B:2) met on Monday, June 24, 2024, at 2:00 P.M. in Room 103 of the State House.

The following committee members were present: the Honorable Edward M. Gordon, Chairman, the Honorable Donna Sytek, Vice Chairman, Senator Cindy Rosenwald, Senator Ruth Ward, Representative Janet G. Wall, Representative Bob Lynn, and the Honorable David H. Hess. Also participating was Richard M. Lambert, Executive Administrator.

The Committee's meeting consisted of the following agenda items:

ITEM #1

Consideration of the draft *Minutes* from the Committee's meetings held on April 22, 2024, and May 13, 2024.

Following review, Vice Chairman Sytek moved to adopt the April 22, 2024, *Minutes* as presented. Representative Wall seconded the motion and the Committee voted 6 to 0 in favor of the motion.

Vice Chairman Sytek then moved to adopt the May 13, 2024, *Minutes* as presented. Representative Lynn seconded the motion and the Committee voted 5 to 0, with Senator Rosenwald abstaining, in favor of the motion.

ITEM #2

Initial Review of *Complaint 2024-5*. (Nonpublic Session)

Representative Wall moved to enter nonpublic session, pursuant to RSA 14-B:3, I(d), to conduct an Initial Review of *Complaint 2024-5*. Representative Lynn seconded the motion and the Committee voted as follows:

Representative Lynn	Yea
Mr. Hess	Yea
Senator Ward	Yea
Senator Rosenwald	Yea
Chairman Gordon	Yea
Representative Wall	Yea
Vice Chairman Sytek	Yea

{MOTION ADOPTED}

{NONPUBLIC SESSION}

Representative Wall moved to exit nonpublic session. Mr. Hess seconded the motion and the Committee voted as follows:

Representative Lynn	Yea
Mr. Hess	Yea
Senator Ward	Yea
Senator Rosenwald	Yea

Chairman Gordon            Yea  
Representative Wall        Yea  
Vice Chairman Sytek        Yea  
{MOTION ADOPTED}

Chairman Gordon stated: “We just came out of nonpublic session. During the nonpublic session, we conducted an initial review of *Complaint 2024-5* and, as a result of that initial review, we voted that we would continue our initial review.”

### ITEM #3

Discussion of 2024 House Bill 1388, “An Act relative to ethical standards for members of the general court.”

Chairman Gordon noted that he testified before the Senate Committee on Executive Departments and Administration on HB 1388, but not in support of the bill, as was stated in a newspaper article, but had appeared to discuss changes to the bill that had been recommended by the Committee. {See Item #1 of the *Minutes* from the May 13, 2024, meeting.} He then recognized Representative J.R. Hoell (Merr./27), who had asked to speak to the Committee about his concerns relating to the bill.

Representative Hoell expressed concern that HB 1388 violates New Hampshire Constitution Part First, Article 30, which he then read. “The freedom of deliberation, speech, and debate, in either House of the Legislature, is so essential to the rights of the people, that it cannot be the foundation of any action, complaint, or prosecution, in any other Court or place whatsoever.” He then said: “The issue at hand is the debate side of this language as adopted (in HB 1388), ‘shall recuse themselves from participation in any official activity.’ If someone who has expertise in something ... if you’re an insurance agent and you own a company, or are paid by a company, and you have real good information relative to insurance, when it comes before the committee you can’t even talk about that because you’re participating. I think that violates our constitution. Now, I’m okay if they say we can’t vote ... there is a distinct difference between directing the outcome of a bill where you have a benefit and lending knowledge or representing your constituents in testimony, and we need to be careful when we cross that line because what we’re saying is we’re going to... not only deny the member the ability to participate, the way this is worded, you also deny all of their citizens that they represent their voice in the State House... I get the purpose. I agree with the purpose, but we have to be very careful when we define this policy...I think the bill went too far...”

Chairman Gordon asked if any Committee members had questions for Representative Hoell. No one did. Chairman Gordon then stated that as Representative Hoell mentioned, HB 1388 is a done deal and he pointed out that the Ethics Committee didn’t write the bill.

Representative Hoell said that he understood that the Committee was not tasked with drafting that legislation, but that it is, however, tasked with the interpretation of that legislation going forward.

Chairman Gordon agreed.

### ITEM #4

New/Other Business.

There was no new or other business.

ITEM #5

Scheduling of the next meeting.

The Committee scheduled its next meeting on August 2, 2024, at 1:30 P.M.

The Committee's meeting adjourned at approximately 2:40 P.M.

{ Prepared by Richard M. Lambert, Executive Administrator }