

MINUTES
LEGISLATIVE ETHICS COMMITTEE
MARCH 2, 2026, MEETING
{Approved: March 13, 2026}

The Legislative Ethics Committee (RSA 14-B:2) met on Monday, March 2, 2026, at 1:00 P.M. in Room 103 of the State House.

The following members were present: the Honorable Edward M. Gordon, Chairman, the Honorable Donna Sytek, Vice Chairman, Senator Cindy Rosenwald, Senator Ruth Ward, Representative Bob Lynn, Representative Catherine Rombeau, and the Honorable David W. 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 meeting held on November 24, 2025. Following review, Vice Chairman Sytek moved to adopt the *Minutes* as drafted. Mr. Hess seconded the motion, and the Committee voted 6 to 0 in favor of the motion, with Senator Rosenwald abstaining as she was not present at the meeting.

ITEM #2

Initial Review of *Complaint 2026-1, Riel v. Noble*. (Public Session/confidentiality waived).
Chairman Gordon stated that ordinarily the Committee conducts initial reviews of complaints in nonpublic session, but that the respondent, Representative Kristin Noble, had elected to conduct the initial review in public. He asked the Committee members if they had any thoughts with regard to the complaint.

Representative Lynn noted that Representative Noble was in attendance and asked if the Committee would like to hear from her. Chairman Gordon responded that "an initial review is ordinarily conducted by the Committee to see if the complaint on its face, and the response, is sufficient to move forward into a preliminary investigation, so I'm not sure that we need to take testimony today. If we were going to take testimony, we probably would have invited the complainant as well." Representative Lynn agreed with Chairman Gordon's statement.

Mr. Hess said, "I noticed in the complaint that while the complainant cites some of the Principles of Public Service (of the Ethics Guidelines) as the grounds for raising the issue, she does not cite any of the Prohibited Activities that are included in the Guidelines, and so I believe in accordance with our practice and procedure we should advise the complainant that the Principles do not qualify for consideration of ethical violations. They do not establish ethical standards per se, and if she wishes to assert some claims under the Prohibited Activities, she would be able to do so..."

Senator Rosenwald said, "This seems like some of the complaints we have had before with legislators saying things on social media, but it's not an official account and perhaps it's not the most polite way of talking about people and I think we haven't found that it's violated any of the Prohibited Activities even if perhaps it's not the nicest way to treat somebody."

Chairman Gordon said, “I think on several occasions we found that people could be offended by the conduct of legislators but that it didn’t necessarily constitute an ethical violation as set forth in our rules.”

Vice Chairman Sytek said, “I looked at the string of conversations from that (on Facebook) and there was an issue. People who didn’t like the bill wanted it killed. It says no amount of amendments could save this bill. It wanted to be killed. So, there was some misunderstanding among the opponents of the bill. And so, that’s why she said what she said. Clearly you can amend any bill, but there’s no there there.”

Chairman Gordon asked if someone would like to make a motion.

Vice Chairman Sytek said, “I move we discharge the complaint because it fails to allege conduct which is contrary to the ethics law, guidelines, rules or regulations.”

Representative Lynn seconded the motion and the Committee voted 7 to 0 in favor of the motion.

ITEM #3

Initial Review of *Complaint 2026-2*. (Nonpublic session)

Vice Chairman Sytek moved to enter nonpublic session, pursuant to RSA 14-B:3, I(d), to continue an Initial Review of *Complaint 2026-2*. Senator Rosenwald seconded the motion, and the Committee voted as follows:

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

{MOTION ADOPTED}

{NONPUBLIC SESSION}

Vice Chairman Sytek moved to exit nonpublic session. Representative Lynn seconded the motion, and the Committee voted as follows:

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

{MOTION ADOPTED}

Chairman Gordon stated: “Having conducted an initial review of *Complaint 2026-2* in nonpublic session, the Committee voted to discharge the complaint, finding that there was insufficient evidence to support the acts alleged and the acts alleged failed to demonstrate a violation of rule, law or Ethics Guidelines.”

ITEM #4

Discussion of 2026 Senate Bill 570, An Act relative to legislative ethics.

The Committee discussed proposed amendment 2026-0564s to SB570 sponsored by Senate President Sharon M. Carson.

Chairman Gordon summarized the history and substance of the amendment. He said, “This was basically intended to be an amendment to address issues raised with regard to recusal. And the bill was, in fact, identical to the amendment which had been proposed and which the Committee reviewed last year {see Item #3 of the *Minutes* from the May 16, 2025, Committee meeting} and it was put forth by Senator Carson who acknowledged at the beginning of her testimony {during the hearing on SB 570 at the January 28, 2026 meeting of the Senate Committee on Executive Departments and Administration} that the bill was basically for discussion purposes and knew that it needed a lot of work, which was basically her testimony on it, to paraphrase.”

Chairman Gordon stated that because he didn’t have authorization from the Committee to testify at the Senate ED&A hearing, he made clear that he was doing so on his own behalf. He said, “I pointed out that ... the way the bill was written it undermined not just the recusal, but our original guidelines with regard to conflicts of interest... {the Senate ED&A members} were looking for suggestions to improve it and one of the things I discussed was the idea that – and it gets back to a discussion that we’ve had before in this Committee – is that one of the big complaints that I’ve heard ... if you have a member who recuses and they have a special interest in a subject matter, and they were elected because they do have ... some specialized knowledge, and they recuse themselves, then they can’t share that knowledge. So, one of the things that was suggested as a possible alternative was that if you have to recuse yourself you could still be able to share your knowledge by being able to testify on a bill as long as you disclose the fact that you were doing that in your individual capacity. So, you would be prohibited from participating in other legislative activities to prepare a bill, to participate in committee, to vote in the House...”

“The other discussion got down to what constitutes a ‘direct interest’ and that needed to be defined. So, the idea was to get some language where the direct interest was something where if the bill gets passed you are assured that you are going to receive something. And the language was language that came from (Senate Legal Counsel Rick Lehmann) at our meeting (on May 16, 2025) that their interest be ‘vested.’ That you are assured that you’re going to get something if the legislation passes...”

Chairman Gordon asked Mr. Lambert if there was anything he would like to add about the proposed amendment. Mr. Lambert referred the Committee to section 2 of the bill and said it “essentially codified what the Committee already decided in *Interpretive Ruling 2025-6* regarding what constitutes a budget, what is the trailer bill, and it makes a policy decision because this Committee was divided on whether members need to recuse on amendments to the trailer bill if they had a conflict. A majority said they did and a minority said they didn’t... The amendment says they would have to recuse.”

The Committee discussed whether members should be required to recuse on amendments to the trailer bill.

Senator Rosenwald pointed out that an amendment to the trailer bill could include more subject matters than the original bill on which the member would have been required to recuse. The amendments, she said, usually include multiple subject matters and recusal could preclude the member from participating in all those matters.

Representative Lynn agreed that the language in the proposed amendment “assumes that an amendment to HB1 or HB2 will be a clean-cut, just one topic, that the person has a conflict on. ... But the problem is they’re often not like that. An amendment can have 20 sections and only 1 where you have a conflict. ...If this is adopted you would basically say, ‘Well you have to give up your right to vote on 19 things when there’s no conflict...’” He suggested a clarification to say “single-subject amendment.”

After further discussion, Representative Rombeau suggested that the term “vested” in the definition of ‘direct benefit’ is helpful and that the following clause stating, “based on the legislator’s or household member’s current financial circumstances” isn’t necessary. Representative Lynn agreed. Representative Rombeau also spoke in favor of the proposed amendment’s language defining “direct detriment” and making the distinction between “benefit” and “detriment.”

Representative Lynn spoke in favor of the language allowing recused members to testify. Chairman Gordon said there is a First Amendment free speech issue. He said that if anyone challenged that and said, ‘I can’t go there as an individual. I can’t go to a legislative committee and say what I think.’ That frankly is an issue.”

Vice Chairman Sytek said, “You could make that argument against any requirement for recusal.”

Chairman Gordon said, “I don’t think so. I think you can have rules with regard to procedure, but I’m not sure you necessarily can have rules with regard to speech.”

Representative Lynn said, “Right, because anybody can testify, but only a legislator can vote or make a motion. So, I think that would be a basis for distinction.”

Mr. Hess suggested there should be a written disclosure in addition to a verbal disclosure required when a member testifies before a committee on a bill on which he has recused. He also asked if the term “vested” is a commonly understood term. He asked if it should be defined.

Senator Rosenwald said, “I continue to have concerns about the undefined term ‘general revenue bills.’ Representative Hill, when he first came to talk to us several years ago, said his intention was a sales or income tax. But if you think about it, the rooms and meals tax is more of a general revenue bill because everybody buys a cup of coffee somewhere. And so I think everyone is generating that revenue that they might not be if there were an income tax and if they weren’t working...but the meals and rooms tax hits just about everyone and has proven that because it’s our second biggest revenue source. So, I’m wondering if ‘general revenue bills’ should be defined.”

Representative Lynn agreed. Senator Rosenwald offered to work with him on a definition.

Following further discussion, the Committee authorized Representative Lynn to write a revised draft to the amendment encompassing all the changes discussed by the Committee, with assistance from Senator Rosenwald and Senate Legal Counsel Rick Lehmann. Representative Lynn said he would circulate the draft to the Committee members for their comments.

ITEM #5

Consideration of a request for an Advisory Opinion from Representative Mark MacKenzie.

Following discussion, Mr. Hess moved that the Committee should respond that it is unable to provide an advisory opinion because the request does not state specific factual situations that relate to the conduct or proposed conduct of the individual making the request, pursuant to RSA 14-B:3, I(c).

Vice Chairman Sytek seconded the motion and the Committee voted 7 to 0 in favor of the motion.

ITEM #6

New/Other Business

There was no new or other business.

ITEM #7

Scheduling of the next meeting.

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

The Committee's meeting adjourned at approximately 2:10 P.M.

{Prepared by Richard M. Lambert, Executive Administrator}