

NEW HAMPSHIRE EXECUTIVE BRANCH ETHICS COMMITTEE

August 1, 2018

Meeting held at SHEEHAN PHINNEY BASS & GREEN PA

DRAFT MINUTES

Meeting called to order by Chairman Joseph DiBrigida, Jr. at 8:08 AM on August 1, 2018.

Present: Joseph DiBrigida, Jr, Alan Johnson, Gregory Silverman, Dale Kuehne and Justin Cutting

Also Present: Deputy Attorney General Jane Young and Nancy Smith, Sr. Assistant Attorney General

The Committee voted unanimously to approve the minutes of both the public and non-public meetings held on June 6, 2018.

The Committee discussed the process for submission of the final rules and voted on the final proposal of the administrative rules Eth 100 and Eth 200.

Page 2- JLCAR suggested legislative clarification of the word “Guidelines” or defining it (policies v. rules or statutory requirements). Remove proposed 102.07. Remove the word “Ethics” before the word “Guidelines” in 202.01(g).

Page 11 #3- Decline to address comment re “without merit” – discussed that needed due to “may” dismiss in statute v. “shall” dismiss in rule. 203.03 Per Nancy, ok to not making change per JCLAR staff.

Page 32 RSA 541:a – authority in statute to issue advisory v. declaratory opinions . JLCAR staff didn’t expect us to offer change. Be prepared to explain legislative intent.

Joe motioned to vote to adopt the final rules with the changes discussed. Unanimous vote to adopt rules.

Nancy will attend the JLCAR meeting on August 16th with Greg Silverman.

The Committee voted unanimously to adjourn the meeting at 8:43 am.

Respectfully submitted,

Lisa Connell

Recording Secretary

