

Amendment to SB 521

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT establishing a committee to study and make recommendations for changes to RSA
4 14-B and RSA 14-C and the ethics guidelines governing conflicts of interest by
5 members of the general court.
6

7 Amend the bill by replacing all after the enacting clause with the following:

8
9 1 Findings; Purpose. The general court hereby finds:

10 I. That part II, article 7 of the New Hampshire constitution states: "No member of the
11 general court shall take fees, be of counsel, or act as advocate, in any cause before either branch of
12 the Legislature; and upon due proof thereof, such member shall forfeit his seat in the Legislature."

13 II. That the general court has adopted principles of public service including the principle
14 requiring "independent, objective judgment in performing a legislator's duties and deciding all
15 matters on the merits free from conflicts of interest and both real and apparent improper
16 influences."

17 III. That the New Hampshire general court, consistent with RSA 14-B:3, has adopted
18 guidelines prohibiting legislators from engaging in certain activities.

19 IV. That in order to comply with New Hampshire's constitutional requirements, to satisfy
20 statutory requirements, and to maintain the confidence of the New Hampshire citizenry, the general
21 court should review current conflict of interest provisions and make recommendations for changes,
22 including whether recusal from participation in legislative matters when there is a conflict of
23 interest is sometimes required.

24 2 Committee Established. There is hereby established a committee to study and make
25 recommendations for changes to the laws and ethics guidelines governing conflicts of interest by
26 members of the general court.

27 3 Membership and Compensation.

28 I. The membership of the committee shall be as follows:

29 (a) Two members of the senate, each of whom is a current member of the legislative
30 ethics committee, and 2 additional members of the senate who shall not be of the same political
31 party, appointed by the president of the senate.

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1 (b) Two members of the house of representatives, each of whom is a current member of
2 the legislative ethics committee, and 2 additional members of the house of representatives who shall
3 not be of the same political party, appointed by the speaker of the house of representatives.

4 II. The members of the committee shall receive mileage at the legislative rate when
5 attending to the duties of the committee.

6 4 Duties. The committee shall have the following duties:

7 I. The committee shall study the current laws for legislative ethics under RSA 14-B and RSA
8 14-C, and the Ethics Guidelines, as they relate to conflicts of interest and financial disclosure by
9 legislators.

10 II. Review the conflict of interest laws governing legislatures in other states.

11 III. Make recommendations for changes to the laws, rules, guidelines, and procedures as
12 they relate to conflicts of interest.

13 5 Administrative Support. The executive administrator of the legislative ethics committee, the
14 senate legal counsel, and the house legal counsel shall provide administrative support to the
15 committee.

16 6 Meetings and Report.

17 I. The members of the committee shall elect a chairperson from among the members. The
18 first meeting of the committee shall be called by the first-named senate member. Five members of
19 the committee shall constitute a quorum.

20 II. The committee shall submit a final report of its findings and any recommendations for
21 proposed legislation to the speaker of the house of representatives, the president of the senate, the
22 house clerk, the senate clerk, the governor, and the state library on or before November 1, 2020. The
23 committee may issue an interim report.

24 7 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill establishes a committee to study and make recommendations for changes to RSA 14-B and RSA 14-C and the ethics guidelines governing conflicts of interest by members of the general court.