MINUTES
LEGISLATIVE ETHICS COMMITTEE
MARCH 23, 2009 MEETING
{Approved: April 27, 2009}

The Legislative Ethics Committee (RSA 14-B:2) met on Monday, March 23, 2009, at 10:00 a.m. in Room 100 of the State House. The following members were present: Attorney Martin L. Gross, Chairman, Representative Janet G. Wall, Vice Chairman, Senator Sheila Roberge, Senator Amanda A. Merrill, Representative Stella Scamman, Attorney Kimon S. Zachos, and Attorney Richard L. Russman. Also present were: Richard M, Lambert, Executive Administrator, Attorney Jeffrey A Myers, Senate Legal Counsel, and Attorney David Frydman, House Legal Counsel.

Chairman Gross asked to "exercise the chair's prerogative" in order to speak about his predecessor as the Committee's chairman, Attorney Russell F. Hilliard. Chairman Gross said:

> Russ Hilliard served on the Ethics Committee and in the ethics process for many, many years -- I believe he was involved at the very beginning when the Committee convened to put together the first Guidelines. There is probably no one in the State of New Hampshire who knew more about the history of this process. He conducted the affairs of this Committee in a quiet and civil way with consideration for the views of everybody, and yet somehow was able to move us along so that we could, indeed, make decisions that needed to be made. I think this process is going to miss him. He is, however, in Tanzania on a sabbatical…and so here I am, and I will endeavor to follow in his footsteps as far as getting the job done and being civil and being considerate of others' opinions.
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> This Committee consists of 7 people, all of whom will have their own views and all of whom are entitled to express them. But I hope that when we come to actually making decisions we can do that considerately and promptly. And I think that summarizes what my view of this Committee's work is. To me, the most important work of this Committee is administering an ethics system that is understandable to those that it affects, is simple as it possibly can be, and is expeditious when it comes to providing the product that this Committee is supposed to provide. To me, the least important thing that we do is the thing that gets the most public attention when it happens, and that is to decide complaints. To me, the easiest complaint to resolve is the one that never happens, and in order to minimize the potential for ethics complaints to happen, you have to have a system that people understand and can comply with. I happen to believe that an overwhelming number of members of this legislature and its staff very much want to comply. And so I think our principal job is to help them do that, and only in the rare instances when someone steps across a boundary should it be necessary for us to deal with the complaint situation. So, there we are; that's my philosophy and I'd be glad to give anybody else equal time whenever you want it.

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

ITEM #1

Consideration and Adoption of the proposed Agenda.

Attorney Zachos moved to adopt the proposed Agenda. The motion was seconded by Vice Chairman Wall and the Committee voted 6 to 0 to adopt the motion.

ITEM #2

Consideration of the draft *Minutes* from the Committee's meetings held on November 18, 2008, and January 29, 2009.

After review, Attorney Zachos moved to adopt the *Minutes* and Vice Chairman Wall seconded the motion. Chairman Gross asked if there was any discussion. Following a brief discussion, the Committee agreed that, as a matter of practice, an attendance sheet should be passed around at every Committee meeting and the names of people in attendance should be noted in the *Minutes*.

Chairman Gross noted Senator Merrill's discussion of Senate Bill 155, "An Act, relative to financial disclosure by legislators," at the Committee's January 29 meeting {see Item #2, January 29, 2009 *Minutes*} and asked Attorney Frydman to convey to House leadership that "it would be wonderful if that bill gets through fast and clean because it is a critical path in what the Guidelines need to contain, because it simplifies the questionnaire response, and I think it is an important bill."

After further brief discussion, the Committee voted 6 to 0 to adopt the *Minutes*.

ITEM #3

Consideration of the Committee's draft response to a request for an Advisory Opinion from Representative Michael O'Brien.

Chairman Gross said that the matter originated with a letter from Representative O'Brien concerning the propriety of using his House stationery to write a letter of recommendation for someone who is looking to get into college. He referred to Item #2 of the November 18, 2008 *Minutes* and said the outcome of the Committee's discussion was that it determined it would advise Representative O'Brien that the action he proposed was not a problem. He then referred to a draft letter in the Committee members' packet and said it was intended to carry out the Committee's decision.

After review, Attorney Zachos moved to finalize and send the letter as drafted. Senator Merrill seconded the motion and the Committee voted 6 to 0 in favor of the motion.

ITEM #4

Discussion of the status and future action regarding the Committee's previously proposed amendments to the Ethics Guidelines.

Chairman Gross said that the issue was the "main event for today and, indeed, the main event for this Committee for quite a while." He offered to help focus the discussion by reflecting on what the Guidelines are. He said:

> One of the primary--it is the primary role --that the statute imposes on us is to issue guidelines consistent with statute. So it's clear from the statute that this Committee issues guidelines. But before amendments to the Guidelines become effective, we are to distribute copies to both houses and the specific guidelines or amendments that we distribute to the members of both houses shall be brought to a vote and approved by a majority of both houses within 3 legislative days after distribution. So, my understanding of the pattern of these Guidelines is: the Committee generates them, they don't originate in the normal legislative process with the filing of a bill, they go up or down in the form that we submit them, and the theory there is that the material originates from this Committee and, I say, not through the conventional legislative process. This is consistent with history. I don't mean to put down anyone who was here at the creation, but early on it was thought that it would take an independent Committee to generate guidelines for ethical conduct by legislators and that was a more effective way of dealing with what otherwise might be a highly politically-fraught process. And so, that was done; the legislature delegated the task to the Committee because of the perception that the conventional process couldn't manage it. If you want a parallel to that, think of the base closing commission at the federal level where the process of picking which defense bases to close was so highly political -- such a hot potato -- that the Congress delegated it to the base closing commission which went through the process of considering things on merit then submitting a report to both houses for an up or down vote. That is what I perceive our system to be.
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> I think that the idea that our proposed Guidelines would be subject to amendment on the floor is without basis in history and is contrary to precedent. So, with that background, that is the way I approach these things. Basically, it's our responsibility to initiate amendments to the Guidelines and submit them to the membership and expect the process to be followed out in accordance with statute. Essentially, the intent for the Guidelines is for the Committee in the first instance to propose and either house can either accept or reject in toto.

> And as far as 'consistency with statute' is concerned, the Committee interpreted and applied that concept in probably one of the hottest and most serious cases this Committee has ever had to confront…case #2004-2, that was the Gene Chandler complaint, and the Committee ruled in that context that the Guidelines could go further than statute in prescribing the conduct of legislators, that this Committee's Guidelines were not restricted to simply what the statute on a similar subject might say. And I want to take the opportunity to pass out to you, and everyone else who may want them, an extract of the report from the Gene Chandler case, and I have tried to highlight the portions of that which I think are relevant. And apparently, one of Chandler's contentions was "Oh gosh, the Guidelines went further than the statute and, therefore, he should not be punished for violating the stuff that went further than statute," and the Committee rejected that and said: "this does not prevent the legislature from imposing a limitation on its own members on the receipt of such gifts, there was nothing inconsistent in doing so, and this initiative constituted an admirable response to public concern about the impact, real or perceived, of such gifts on the legislative process."
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> In the final analysis, it is the legislature that imposes these limitations on itself because the legislature gets to vote yes or no on the Guidelines; and if the legislature says "no, we don't want to go further than statute," then all they have to do is vote no on the Guidelines if the Guidelines are perceived to go further than that. I think that it's time that the process was given a chance to operate the way I think it was intended to work.

Senator Merrill asked Chairman Gross to repeat what he said about revision of the Guidelines and precedent.

Chairman Gross said:

> The way this has gone is that the Guidelines were initiated from this Committee--way back at the beginning--the Committee put together the Guidelines and, in accordance with statute, transmitted the draft Guidelines to membership. The statute prescribes that within 3 legislative days after distribution both houses are to vote whether to accept or reject, and that's the way it has been. The need to revise the Guidelines extensively came about following the 2006 legislation which did a couple of things: it enacted an executive branch code of ethics, and it also added this extensive legislation about gifts, and it became clear that the Guidelines needed to be revised in order to accommodate the legislation. And so, that's what we've been trying to do for the last 2 years and the process has run into some bumps and misunderstandings.

Attorney Zachos observed that in the last session "the process really didn't work because, although we sent revisions up, those revisions were neither voted up or down."

Chairman Gross agreed and said:

> You can take a look at your *Minutes* of the November 18 meeting…and you'll see a summary of the situation and background….This Committee worked in 2007 and 2008 to revise the Guidelines to conform to the 2006 legislation. All of our sessions were public. I think we had at least 3 public hearings. In May we held another public hearing at the express request of the Senate President. No one came and the Committee reaffirmed its previous vote to submit the revised Guidelines....After that there was discussion about perhaps changing the pattern and embedding the Guidelines into statute…and we had a discussion on that at the November 18 meeting and if you look at the *Minutes* you'll see that there were some good reasons for not doing that that some members of the Committee advanced, and so we left it to the new Committee to come up with a decision on that. Since then, in my recollection of the meeting I had with the President of the Senate and the Speaker of the House after they had asked me to assume this role, I asked them about that and my impression …was there was no great desire to see that done…so going forward in dealing with Item #4 on the *Agenda*, I think there are 3 choices that we have in regard to the status and future of the Guidelines.

> Choice A is to do nothing and leave the current Guidelines in place even though they are clearly not consistent with recent legislation. Choice B is to finish our work on the revised Guidelines and review and act on the suggestions that have been made by Attorneys Meyers and Frydman in their letter of March 13…Choice C is to recommend that the Guidelines approach be scrapped and that legislation be enacted incorporating them into whatever the legislature wants to do about ethics and, as I mentioned to you, I don't believe there is a whole lot of appetite for that among legislative leadership.

After further discussion, Attorney Zachos recommended that the Committee proceed with choice B and the rest of the Committee agreed. Chairman Gross then stated that the consensus of the Committee was to move forward with a revision of the Guidelines and do so by working from the March 13 letter from Attorneys Meyers and Frydman.

Attorneys Frydman and Meyers then presented their suggested revisions as follows:

1) A revision to Section 2, Paragraph V, defining "Financial Interest."

Attorney Meyers discussed the first proposed revision. Among the points he made was that the revision the Committee had previously proposed included language taken from RSA 15-A, which defines the term "special interest" instead of a "financial interest" and defines special interest as "a material financial effect" arising out of various actions that are not applicable to a financial interest as it affects a legislator, but are appropriate for what members of the executive branch do, such as granting a license or disciplining a permittee. He said the proposed revised language was a simpler and cleaner definition.

Attorney Frydman added that the perspective of both the House Speaker and Senate President, he believed, is that most, if not all, legislators want to comply with the ethics procedures and that legislators currently find them quite confusing, and so the suggested change to the definition of financial interest, making it simpler and more straightforward, was in that spirit.

Chairman Gross said the only thing he was concerned about in the proposed revision was the use of the word "you," which he said is not used elsewhere in the Guidelines. After further brief discussion, the Committee agreed to amend the proposed revision to replace "you" with "the legislator, legislative officer, legislative employee." The Committee then voted 6 to 0 to tentatively adopt the proposed revision as amended.

2) Amendments to Section 3, Legislator's Financial Disclosure Form.

Chairman Gross spoke about the pending legislation -- Senate Bill 155 -- that would place the requirement for legislators to file a financial disclosure form, as well as content of the form -- in RSA 14-B. He asked: "If we're trying to make this system comprehensible and simple, then why don't we have 1 form? If Senate Bill 155 passes, do we need this form in our Guidelines?"

Senator Merrill suggested the Committee should just refer in the Guidelines to the statutory requirement and put a copy of the form in the "Sample Form" section in the *Ethics Booklet*.

Attorney Meyers said that timing was an issue.

Chairman Gross repeated that it would be "helpful" if House leadership could "put SB 155 on a fast track."

After further discussion, Chairman Gross suggested that the Guidelines amendment could specify that should SB155 become law, that form will supplant the one in the Ethics Guidelines.

Attorneys Frydman and Meyers also discussed their proposed revisions to the form, saying that 2 suggested changes were to 1) require disclosure of sources of income and financial interests of the legislator and family members, instead of just the legislator and spouse; and 2) include a definition of "family member" on the form.

Attorney Zachos moved to tentatively adopt the proposed revisions. Attorney Russman seconded the motion and the Committee voted 6 to 0 in favor.

3) Amendments to Section 4, Prohibited Activities.

Attorney Frydman said the first revision to the section was to restore the exception in Paragraph VII (a) in the currently effective Guidelines -- deleted by the Committee's proposed amendment -- that states: "The giving or receiving of campaign contributions made for the purpose of defraying the costs of a political campaign." Removing the exception as the Committee's amendment would have done, he said, could be interpreted to limit contributions to $250 from a single source in a calendar year. That would conflict with other statutory provisions.

After brief discussion, Attorney Zachos moved to tentatively adopt the revision. Representative Scamman seconded the motion and the Committee voted 7 to 0 in favor.

Attorney Frydman said a second revision to Section 4 involved a minor change to Paragraph VII(g), relative to meals and beverages received in the course of official business. RSA 15-B:2, V(12), he said, had been amended in 2007 legislation to require that the purpose of the meeting is to discuss official business. The proposed revision deleted the words "pertaining to" and substituted "the purpose of which is to discuss."

Attorney Zachos moved to tentatively adopt the revision. Vice Chairman Wall seconded the motion and the Committee voted 7 to 0 in favor.

Attorney Frydman said the third revision to Section 4 would add a new subparagraph (h), stating: "Acceptance of anything permitted to be accepted pursuant to RSA 15-B."

Attorney Meyers said that RSA 15-B is a very comprehensive statute in which a number of activities are specifically authorized and adding the proposed subparagraph (h) would give effect to the requirement that the Guidelines be consistent with statute.

Chairman Gross suggested that the addition of "(h)" would conflict with the $250 aggregate cap established in subparagraph "(d)".

Attorney Frydman said that "from the House perspective, the leadership has conveyed that it can live with the $250 cap on meals and also is fine, perhaps, without it." He added that the biggest issue for the House side is clarity.

After further discussion, Chairman Gross said that if it was the Committee's view that the $250 limit should be applied only to the acceptance of free meals, then it could move that language down to subparagraph (h) and delete subparagraph (d).

Senator Merrill suggested an alternative: requiring disclosure of anything over $250.

After further lengthy discussion, Attorney Zachos moved to tentatively amend Section 4, VII, by adding the proposed subparagraph (h). Senator Merrill seconded the motion and the Committee voted 7 to 0 in favor.

Attorney Zachos moved, for purposes of discussion, amending Section 4, VII to remove subparagraph (d) {"Acceptance of anything of value the receipt of which would otherwise be a violation of this section where the value is less than $250 in aggregate from any single source during any calendar year"}. Attorney Russman seconded the motion.

Senator Merrill asked if there is a category of things that we want to limit to $250.

After further discussion, Chairman Gross moved that the Committee tentatively delete (d) and insert at the end of (h) "except that acceptance of meals or beverages as permitted by subparagraph (g) shall be limited to $250 in the aggregate from any single source during any calendar year."

Attorney Russman observed that "it's like being a little bit pregnant, if the concern is influence by buying a lunch, then there should be no lunches allowed. That way there is simplicity. No cap, no anything."

After further discussion, Attorney Zachos moved the question and the Committee voted 6 to 1 in favor.

4) An amendment to Section 5, Conflict of Interest Procedure.

Attorneys Meyers and Frydman said the next proposed revision would add "or the legislator's family member" to make the section consistent with changes to Section 3.

Attorney Zachos moved to make the tentative revision. The motion was seconded by Attorney Russman and the Committee 7 to 0 in favor.

5) Amendment to Section 6, Legislative Employee Code of Conduct.

Attorneys Frydman and Meyers said the proposed revision would make the same type of changes to Section 6, which applies to legislative employees, as were made to Section 4, which applies to legislators.

Attorney Zachos moved to tentatively adopt the amendment to Section 6. Attorney Russman seconded the motion and the Committee voted 7 to 0 in favor.

Mr. Lambert asked the Committee if they would like to have the tentatively adopted Guidelines amendments printed in the House and Senate *Calendars* and if they would like to schedule a public hearing to receive input on the proposed changes. The Committee agreed with the suggestion and scheduled a public hearing on April 13, 2009, at 10:00 a.m.

Chairman Gross noted that the letter from Attorneys Frydman and Meyers also included a section titled, "Impact on *Interpretative Ruling 2007-1*," and said the Committee in its discussion on the Guidelines amendments had "extensively exhausted" the issue of the $250 limit, which was one of the topics in the section. Attorneys Frydman and Meyers agreed. What remained in the section, Chairman Gross said, is important because it relates to the idea of consistency. He quoted from the letter: "We also anticipate asking the Committee to reconsider 2007-1, 2, Issue A: relative to tickets at no charge to charitable, ceremonial or political events that are permitted under RSA 15-B:2, V(b)(9)…" Chairman Gross distributed some information that he said would simplify and clarify the discussion. He said that, as he understood it, the concern is that back in 2007 the Committee handed down an interpretative ruling that had to do with tickets at no charge to an annual dinner sponsored by a chamber of commerce or a similar organization. He said the request had been for an interpretative ruling regarding typical issues that have confronted legislators and legislative employees, such as: "What do I do when I am offered tickets at no charge to an annual dinner sponsored by a chamber of commerce or similar organization?" Chairman Gross then quoted from the Committee's ruling: "Complimentary admission may be accepted by a legislator or a legislative employee, even if the value of the admission is $25 or greater, if (a) it is offered directly by the sponsoring organization, and (b) the event is charitable, ceremonial or political, and (c) the sponsoring organization is a charitable organization registered with the Division of Charitable Trusts of the NH Department of Justice, or is qualified as charitable under Section 501(c)(3) of the Internal Revenue Code. RSA 15-B:2, V(b)(9)(A) and (B). Note that some chambers of commerce may not qualify as charitable organizations."

{See February 5, 2007 *Minutes*, Item #2; February 20, 2007 *Minutes*, Item #3; August 28, 2007 *Minutes*, Item #4; October 29, 2007 *Minutes*, Item #4; February 5, 2008 *Minutes*, Item #2; and March 31, 2008 *Minutes*, Item #3 for the Committee's prior discussions and actions relating to *Interpretative Ruling 2007-#1*.}

Chairman Gross then said:

> What I think the folks are asking us to reconsider is the phrase "directly by the sponsoring organization." And why we put that in there is that we considered that the spirit of the statute was not to create another whole new set of currency for people to use in giving gifts to legislators, that the point of the legislation was to restrict gifts and that if lobbyists were able to go and buy a mass of tickets to what otherwise would be a charitable event and pass them out, then that would become a form of currency to give to legislators. So we handed down our interpretation that the statutory exception related to charitable organizations meant that the ticket had to come directly from the charitable organization rather than from some intermediary who would then pass them out to legislators. That apparently has not been a popular ruling … I think we are being asked to reconsider that.

Attorney Russman asked if it would be okay under the ruling for someone to buy a table and then give those tickets back to the sponsoring organization for the organization to distribute free to legislators.

Chairman Gross answered: "yes it would."

Attorney Russman then asked if it would be okay under the ruling for the sponsoring organization to inform the legislator who had paid for the free ticket.

Chairman Gross replied that the Committee had not ruled on that.

Following further discussion, Chairman Gross asked if there was a motion to delete the phrase "directly by the sponsoring organization" from *Interpretative Ruling 2007-#1*, Issue 2A.

Attorney Zachos so moved and Representative Scamman seconded the motion.

Attorney Frydman said there was one other paragraph in the letter that he wanted to make sure the Committee was aware of. He said:

> The position of the Speaker and Senate President was there was a legislative determination made and there's no requirement in the statute enacted in 2006 to limit where tickets come from; there is nothing to that effect in the statute, but there also isn't -- and perhaps should be-- in existence a reporting requirement because, while the prohibition has a negative impact of cutting down on charitable contributions and has some other unintended consequences, if there is a concern that the tickets are being used as a currency, just like meals are reported and expense reimbursements at educational events are reported, and honoraria are reported, the feeling is it would make more sense not to limit this but, if there is a concern by the Committee that this is being used as unregulated currency to improperly influence legislators…that the proper way to follow the legislative intent of the statute and history in our state -- putting a spotlight on that -- through a requirement of a disclosure of who is accepting these tickets and from whom, and then people can see if it is resulting in votes that benefit the people who are actually giving away the tickets. And so the suggestion in our letter in requesting this reconsideration is that the Committee consider a disclosure requirement.

Chairman Gross said that "that's a broader suggestion and I think that if you want to press that we probably need to leave it to another day." He noted that 2 members of the Committee needed to leave and suggested tabling reconsideration of *Interpretative Ruling 2007-#1* so the Committee could proceed to the next item on the Agenda while there was still a quorum. The Committee agreed to the suggestion. He asked Attorney Frydman to bring to the Committee's attention at the next meeting that he wants to pursue the matter of reconsideration.

ITEM #5

Consideration of a request for an Advisory Opinion from David Frydman, House Legal Counsel.
Chairman Gross summarized the letter dated March 18, 2009:

> This is a letter that has to do with a potential perceived conflict of interest in a situation in which a member of the legislature owns some bonds issued to a state instrumentality which the actual credit on the bonds is, say, a local hospital. And while there are 3 situations referenced in the letter, all of them have to do with a situation in which the legislator owns those bonds, and the question is: if a piece of legislation comes up that somehow would affect the ability of the organization responsible for repaying the bonds, is that a conflict of interest? And I commend to your attention the discussion on page 2 of David Frydman's letter which says: "The legislator has a financial interest in receiving payment of interest and principle on the bonds in the ordinary course." I think that just is what it is, of course he or she does. "The question would seem to be whether legislative action involved would have 'a reasonably foreseeable direct material financial effect' on the legislator's financial interest as distinguished from its effect on the public generally. It is suggested that such an effect would be produced only by legislation that is reasonably foreseeable to directly and materially interfere with or enhance the institution's financial ability to meet its obligation on the bonds. Under this analysis, a conflict of interest would occur if a bill directly prohibited the institution from making payment on the bonds, or if it was reasonably foreseeable that the bill would cause such financial distress to the institution that it could not meet its obligation to make payments on the bonds, or if it directly put the institution in funds that enabled payment on the bonds. In contrast, participation of a legislator with respect to a bill that may generally affect the revenue available to the institution but would not be likely to directly prevent or enhance payment on the bonds, would not constitute a conflict of interest."

Attorney Zachos asked: "What are the conceptual circumstances? Are we talking about bonds dealing with UNH (the University of New Hampshire)?" He added: "It's not going to affect any hospital; it's not going to affect any other paper operation that a legislator might have a bond in. I don't see any problem at this point."

Chairman Gross asked Attorney Zachos: “So, do you endorse the limitation in the discussion in the letter?”

Attorney Zachos answered: “no.”

Chairman Gross said: “So you say it’s not a problem.”

Attorney Zachos replied: “I say that in any conceptual concept that I can come up with, it’s not a problem.”

Chairman Gross said: “Okay, so let me try this one out. It may be beyond the reality: a bill comes before the House Finance Committee that says: ‘In the interest of making public health money go further, the condition of our grant to hospitals – our Medicaid contribution to hospitals – is that they stop paying on their bonds.’ If I am a legislator and I vote and I hold these bonds, do I have a conflict of interest?”

Attorney Zachos answered: “No, because the effect on you isn’t going to be any different than the effect on me, and I’m not a member of the legislature, and that’s what it says."

Chairman Gross asked: “But isn’t the point that if you hold a bond you’re not just a member of the public? Don’t you have a special interest that is not in common with the general public? Your interest may be in common with every other holder of the bonds, but not with the general public, and isn’t that the language of our Guidelines, ‘the general public’?"

Vice Chairman Wall asked for a clarification and asked if the request for the advisory opinion was on behalf of Representative Marjorie Smith herself or was it for a perceived situation for another Finance Committee member.

Chairman Gross said that, as he understood the letter, “Attorney Frydman was requested by Representative Smith to put this question to us because apparently some one or more members of her committee may hold these bonds and wanted to act conscientiously, and they don’t want to be in a situation where they are voting on financial measures that affect the issuers of these bonds and be confronted with an accusation that they were acting with a conflict of interest.”

Attorney Russman said that as a Senator and as a lawyer he would always file a disclosure if there was any ethical question or the slightest appearance of an impropriety. He said that “obviously the House member would have to do the same thing if there’s even the slightest appearance of impropriety.”

Following further discussion, Attorney Zachos moved the following response to Attorney Frydman’s request for an advisory opinion: “The mere ownership of bonds issued by a state instrumentality on behalf of an organization within the state does not create a reportable conflict of interest.”

Chairman Gross asked if there was a second. {There was none.}

Chairman Gross asked if there was an alternate motion and suggested that an alternate motion would be to accept the analysis set forth in the requesting letter, which he said essentially is: "It depends on the legislation and if the legislation would really interfere with payment on the bonds, then you have to follow through with the conflict of interest procedure.”

Attorney Russman made the motion as stated by Chairman Gross. Senator Roberge seconded the motion and the Committee then voted 4 to 2 in favor of the motion.

The Committee's meeting adjourned at approximately 1:00 p.m. The Committee scheduled a public hearing on the proposed amendments to the Ethics Guidelines on April 13, 2009, at 10:00 a.m.

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