

March 7, 2024  
No. 10

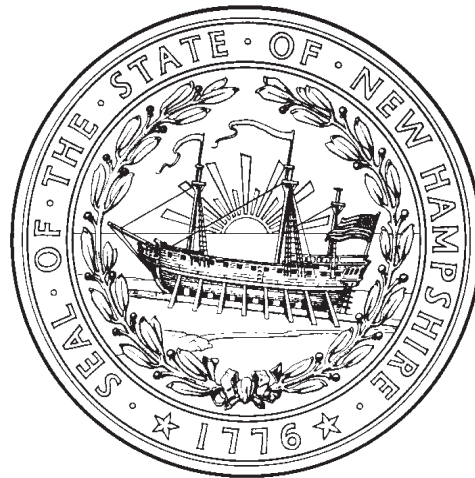
# STATE OF NEW HAMPSHIRE

Website Address: <http://gencourt.state.nh.us>

Senate Meeting Schedule Website Address:  
<http://gencourt.state.nh.us/senate/schedule/dailyschedule.aspx>

All Standing Committee hearings will be livestreamed on the NH Senate's YouTube channel:  
<https://www.youtube.com/NewHampshireSenateLivestream>

Links are also available on the Senate Meeting Schedule.



**Second Year of the 168<sup>th</sup> Session of the  
New Hampshire General Court**

## SENATE CALENDAR

## LAID ON THE TABLE

**SB 173-FN**, relative to surprise medical bills.**01/03/2024, Pending Motion OT3rdg, Health and Human Services, SJ 1**

**SB 305-FN**, relative to allowing wholesalers of cigarettes to retain tax revenue collected for each package of cigarettes with tax stamps sold.**02/08/2024, Pending Motion Ought to Pass, Ways and Means, SJ 3**

**SB 343**, relative to school based health services.**01/18/2024, Pending Motion Interim Study, Education, SJ 2**

**SB 346-FN**, prohibiting the use of dogs while hunting coyotes.**02/15/2024, Pending Motion Inexpedient to Legislate, Energy and Natural Resources, SJ 4**

**SB 452-FN-A**, relative to making an appropriation for the hiring and training of small business development counselors in rural areas of New Hampshire.**02/21/2024, Pending Motion Interim Study, Finance, SJ 5**

**SB 483-FN**, relative to establishing an office of regulatory efficiency and oversight.**02/21/2024, Pending Motion Interim Study, Executive Departments and Administration, SJ 5**

**SB 484-FN**, relative to completion of the birth worksheet for hospital or institutional birth.**02/21/2024, Pending Motion Ought to Pass, Executive Departments and Administration, SJ 5**

**SB 512-FN**, relative to the 10-year highway plan.**03/07/2024, Pending Motion Interim Study, Transportation, SJ 6**

**SB 565-FN**, relative to discrimination in education and employment based on hairstyles historically associated with race.**03/07/2024, Pending Motion OT3rdg, Judiciary, SJ 6**

**HB 307-FN**, relative to attorney's fees in actions under the right to know law.**02/15/2024, Pending Motion Interim Study, Finance, SJ 4**

**HB 572-FN**, relative to eligibility for free school meals.**01/03/2024, Pending Motion Refer to Finance Rule 4-5, Education, SJ 1**

## HEARINGS

All Standing Committee hearings will be live streamed on the NH Senate's YouTube channel:

<https://www.youtube.com/NewHampshireSenatelivestream>

Links are also available on the Senate Meeting Schedule.



***TUESDAY, MARCH 12, 2024***

**EDUCATION**, Room 101, LOB

Sen. Ward (C), Sen. Gendreau (VC), Sen. Lang, Sen. Prentiss, Sen. Fenton

9:00 a.m. **HB 354**, relative to chartered public school eligibility for state school building aid.

9:15 a.m. **HB 1008**, relative to the authority of the commissioner of the department of education to grant extensions for the filing of school expenditure reports.

9:30 a.m. **HB 1009**, relative to the submission of annual town reports to the commissioner of the department of education.

9:45 a.m. **HB 1019**, relative to the interstate compact on educational opportunity for military children.

**EXECUTIVE SESSION MAY FOLLOW**

**ELECTION LAW AND MUNICIPAL AFFAIRS**, Room 103, LOB

Sen. Gray (C), Sen. Murphy (VC), Sen. Abbas, Sen. Soucy, Sen. Perkins Kwoka

9:15 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**9:30 a.m. **HB 70**, relative to residency requirements for deputy town clerks.9:40 a.m. **HB 463-FN**, relative to the establishment of an election information portal.9:50 a.m. **HB 243**, requiring the tabulation of votes in elections to be done in public.**EXECUTIVE SESSION MAY FOLLOW****ENERGY AND NATURAL RESOURCES**, Room 103, SH

Sen. Avarad (C), Sen. Pearl (VC), Sen. Birdsell, Sen. Watters, Sen. Altschiller

9:00 a.m. Hatchery Modernization Project Presentation by NH Fish and Game

9:20 a.m. **SB 385**, relative to the cost of care fund.9:35 a.m. **SB 449**, relative to the permit issuance timeline for state air permits.**EXECUTIVE SESSION MAY FOLLOW****FINANCE**, Room 103, SH

Sen. Gray (C), Sen. Innis (VC), Sen. Bradley, Sen. Birdsell, Sen. Pearl, Sen. D'Allesandro, Sen. Rosenwald

1:30 p.m. **HB 468-FN-A**, making an appropriation to the department of education for an attorney to recodify education laws.1:40 p.m. **HB 436-FN-L**, making an appropriation to the New Hampshire retirement system to pay down the unfunded accrued liability.**EXECUTIVE SESSION ON PENDING LEGISLATION****JUDICIARY**, Room 100, SH

Sen. Carson (C), Sen. Gannon (VC), Sen. Abbas, Sen. Whitley, Sen. Chandley

1:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION*****WEDNESDAY, MARCH 13, 2024*****EXECUTIVE DEPARTMENTS AND ADMINISTRATION**, Room 103, SH

Sen. Pearl (C), Sen. Carson (VC), Sen. Gendreau, Sen. Perkins Kwoka, Sen. Altschiller

9:00 a.m. **HB 518**, relative to the administration of occupations by the office of professional licensure and certification.9:15 a.m. **HB 644-FN**, relative to regulating barbers, cosmetologists, and estheticians.9:30 a.m. **HB 1004**, relative to repealing the judicial conduct commission.9:45 a.m. **HB 1003-FN**, relative to name changes for inmates, parolees, and convicted violent felons.10:00 a.m. **HB 653-FN**, relative to providing additional duties to the interbranch criminal and juvenile justice council.**EXECUTIVE SESSION MAY FOLLOW*****THURSDAY, MARCH 14, 2024*****JUDICIARY**, Room 100, SH

Sen. Carson (C), Sen. Gannon (VC), Sen. Abbas, Sen. Whitley, Sen. Chandley

9:00 a.m. **SB 605**, relative to ethical standards for members of the general court.9:15 a.m. **SB 601-FN**, restricting electronic mail solicitation.9:30 a.m. **SB 593**, relative to possession of firearms in safe school zones.**EXECUTIVE SESSION MAY FOLLOW**

# MEETINGS

***FRIDAY, MARCH 8, 2024***

**STATE HEALTH ASSESSMENT AND STATE HEALTH IMPROVEMENT PLAN ADVISORY COUNCIL  
(RSA 126-A:88)**

11:30 a.m.                      UNH Law, Room 103                      Regular Meeting  
2 White Street  
Concord, NH  
<https://unh.zoom.us/j/98011299433?pwd=Q0pzeXJwREcxMXE5YWE2WkM0SFRBZz09>

**PUBLIC HIGHER EDUCATION TASK FORCE TO STUDY THE STRATEGIC ALIGNMENT OF PUBLIC  
HIGHER EDUCATION IN NEW HAMPSHIRE (EXECUTIVE ORDER 2023-06)**

12:30 p.m.                      25 Hall Street                      Regular Meeting  
Concord, NH 03301

**COMMISSION TO STUDY THE DELIVERY OF PUBLIC HEALTH SERVICES THROUGH REGIONAL  
PUBLIC HEALTH NETWORKS (RSA 127:12)**

1:00 p.m.                      NH Fire Academy                      Regular Meeting  
98 Smokey Bear Boulevard  
Concord, NH  
Join Zoom Meeting  
<https://us02web.zoom.us/j/82731252212?pwd=Q3pvYncvcW55Zkg0ZVVNQW5USGlsZz09>  
Meeting ID: 827 3125 2212  
Passcode: 392939

**COMMISSION ON THE ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS OF PERFLUORI-  
NATED CHEMICALS (RSA 126-A:79-a)**

2:00 p.m.                      Regular Meeting  
Please register for the Commission on the Environmental and Public Health Impacts  
of Perfluorinated Chemicals meeting on March 8, 2024, 2:00 PM EST at:  
<https://attendee.gotowebinar.com/register/8371896376306120540>  
After registering, you will receive a confirmation email containing information about  
joining the webinar. You also may join the meeting by phone:  
Call in Number: 1 (562) 247-8422  
Access Code: 228-532-634  
Webinar ID: 201-354-699  
The following email address will be monitored throughout the meeting by  
someone who can assist with and alert the committee to any technical issues:  
[Amy.E.Rousseau@des.nh.gov](mailto:Amy.E.Rousseau@des.nh.gov). You may also call Amy Rousseau at 603-271-8801.

***MONDAY, MARCH 11, 2024***

**ADVISORY COUNCIL ON CAREER AND TECHNICAL EDUCATION (RSA 188-E:10-b)**

9:00 a.m.                      Room 101, LOB                      Regular Meeting

**NH COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2)**

10:00 a.m.                      University System of NH Suite 301                      Regular Meeting  
5 Chenell Drive  
Concord, NH 03301

**COMMISSION ON BEHAVIORAL HEALTH CRISIS SERVICES (RSA 135-C:68)**

1:00 p.m.                      Room 103, SH                      Organizational Meeting

**COMMISSION TO STUDY COMMUNITY IMPACTS OF THE SECURED YOUTH DEVELOPMENT CENTER (RSA 169-B:48)**

1:00 p.m. Room 100, SH Regular Meeting

**NEW HAMPSHIRE OPIOID ABATEMENT ADVISORY COMMISSION (RSA 126-A:85)**

1:00 p.m. NH Department of Justice Regular Meeting  
 1 Granite Place South  
 Concord, NH  
 Join Zoom Meeting  
<https://nh-dhhs.zoom.us/j/7629646757?pwd=dUJnaTVCOEk1bnZMTepDZEkrOGk4QT09&omn=83760052265>  
 Meeting ID: 762 964 6757  
 Passcode: 782701

**NH BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2)**

2:00 p.m. Regular Meeting  
 Join Zoom Meeting  
<https://us02web.zoom.us/j/84327646605?pwd=R0lwOWFVK0w2U2FKYTVybXM1MjNhcz09>  
 Meeting ID: 843 2764 6605  
 Passcode: 731679  
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 +13126266799,,84327646605#,,, \*731679# US (Chicago)  
 +16469313860,,84327646605#,,, \*731679# US

***THURSDAY, MARCH 14, 2024***

**LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K:1)**

9:30 a.m. Rooms 122-123, SH Regular Meeting

***FRIDAY, MARCH 15, 2024***

**ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m. Rooms 306-308, LOB Regular Meeting  
 Live Stream Link: <https://youtube.com/live/3Iw7aEgotS4?feature=share>

**OVERSIGHT COMMISSION ON CHILDREN'S SERVICES (RSA 21-V:10)**

9:00 a.m. Room 100, SH Regular Meeting

**PUBLIC HIGHER EDUCATION TASK FORCE TO STUDY THE STRATEGIC ALIGNMENT OF PUBLIC HIGHER EDUCATION IN NEW HAMPSHIRE (EXECUTIVE ORDER 2023-06)**

9:00 a.m. 25 Hall Street Regular Meeting  
 Concord, NH 03301

**FISCAL COMMITTEE (RSA 14:30-a)**

10:00 a.m. Rooms 210-211, LOB Regular Meeting  
 The You Tube link to view the meeting livestream is;  
<https://youtube.com/live/VyEsob9TTo8?feature=share>

**COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73-a)**

3:00 p.m. Merrimack Town Hall Public Hearing Meeting  
 6 Baboosic Lake Road  
 Merrimack, NH

Join Zoom Meeting

<https://us06web.zoom.us/j/86117818803?pwd=cWRXdlgwQnQvc2ZRbkNObGhGc3M0dz09>

Meeting ID: 861 1781 8803

Passcode: 669915

### ***MONDAY, MARCH 18, 2024***

#### **NEW HAMPSHIRE VETERANS HOME BOARD OF MANAGERS (RSA 119:3-a)**

9:00 a.m.	NH Veterans Home Town Hall 139 Winter Street Tilton, NH	Regular Meeting
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#### **JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1)**

10:00 a.m.	Room 212, LOB	Regular Meeting
	The You Tube link to view the meeting livestream is; <a href="https://youtube.com/live/hfCU5ybP_fE?feature=share">https://youtube.com/live/hfCU5ybP_fE?feature=share</a>	

#### **STATE COMMISSION ON AGING (RSA 19-P:1)**

10:00 a.m.	NH Hospital Association 125 Airport Road Concord, NH	Regular Meeting
	Zoom: <a href="https://us02web.zoom.us/j/87430173115?pwd=bUFR3I5emt3NGVueDBYYW9SZThLUt09">https://us02web.zoom.us/j/87430173115?pwd=bUFR3I5emt3NGVueDBYYW9SZThLUt09</a>	

#### **NEW HAMPSHIRE CANADIAN TRADE COUNCIL (RSA 12-O:22)**

2:00 p.m.	Room 103, SH	Regular Meeting
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### ***FRIDAY, MARCH 22, 2024***

#### **PUBLIC HIGHER EDUCATION TASK FORCE TO STUDY THE STRATEGIC ALIGNMENT OF PUBLIC HIGHER EDUCATION IN NEW HAMPSHIRE (EXECUTIVE ORDER 2023-06)**

9:00 a.m.	25 Hall Street Concord, NH 03301	Regular Meeting
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#### **JOINT COMMITTEE ON EMPLOYEE CLASSIFICATION (RSA 14:14-C)**

1:00 p.m.	Room 104, LOB	Regular Meeting
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### ***MONDAY, MARCH 25, 2024***

#### **COMMISSION TO STUDY THE EFFECT OF RECENT CHANGES MADE TO CHARITABLE GAMING LAWS, INCLUDING THE NEWLY AUTHORIZED HISTORICAL HORSE RACES (RSA 284:6-c)**

10:00 a.m.	Room 100, SH	Regular Meeting
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#### **NH LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4)**

2:00 p.m.	Dept. of Natural and Cultural Resources 172 Pembroke Road Concord, NH 03301	Regular Meeting
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### ***FRIDAY, MARCH 29, 2024***

#### **NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4)**

10:00 a.m.	NH DES Room 208C 29 Hazen Drive Concord, NH	Subcommittee Work Session Meeting - Finance
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## ***TUESDAY, APRIL 2, 2024***

### **STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2)**

5:00 p.m.                      Edward Cross Training Center Facility                      Regular Meeting  
                                      722 Riverwood Drive  
                                      Pembroke, NH

## ***FRIDAY, APRIL 5, 2024***

### **CAPITAL PROJECT OVERVIEW COMMITTEE (RSA 17-J:2)**

9:00 a.m.                      Room 201, LOB                      Regular Meeting  
                                      The You Tube link to view the meeting livestream is:  
                                      <https://youtube.com/live/FI00XtOvotw?feature=share>

### **LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1)**

10:00 a.m.                      Room 201, LOB                      Regular Meeting  
                                      The You Tube link to view the meeting livestream is;  
                                      <https://youtube.com/live/-mRpei3S3no?feature=share>

## ***MONDAY, APRIL 8, 2024***

### **NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4)**

10:00 a.m.                      NH Fish and Game                      Regular Meeting  
                                      11 Hazen Drive  
                                      Concord, NH

## ***FRIDAY, APRIL 12, 2024***

### **COMMISSION TO STUDY THE DELIVERY OF PUBLIC HEALTH SERVICES THROUGH REGIONAL PUBLIC HEALTH NETWORKS (RSA 127:12)**

1:00 p.m.                      98 Smokey Bear Boulevard                      Regular Meeting  
                                      Concord, NH  
                                      Join Zoom Meeting  
                                      <https://us02web.zoom.us/j/82731252212?pwd=Q3pvYncvcW55Zkg0ZVVNQW5USGlsZz09>  
                                      Meeting ID: 827 3125 2212  
                                      Passcode: 392939

## ***MONDAY, APRIL 15, 2024***

### **STATE COMMISSION ON AGING (RSA 19-P:1)**

10:00 a.m.                      NH Hospital Association                      Regular Meeting  
                                      125 Airport Road  
                                      Concord, NH  
                                      Zoom:  
                                      <https://us02web.zoom.us/j/87430173115?pwd=bUFR3I5emt3NGVudDBYYW9SZThLUt09>

## ***MONDAY, APRIL 22, 2024***

### **NEW HAMPSHIRE COUNCIL ON SUICIDE PREVENTION (RSA 126-R:2)**

10:00 a.m.                      National Guard Edward                      Regular Meeting  
                                      Cross Training Center  
                                      722 Riverwood Drive  
                                      Pembroke, NH



## ***TUESDAY, MAY 7, 2024***

### **NEW HAMPSHIRE DRUG OVERDOSE FATALITY REVIEW COMMISSION (RSA 126-DD:1)**

3:00 p.m.                      Executive Council Chamber Room 207, SH      Regular Meeting  
    107 North Main Street  
    Concord, NH

### **STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2)**

5:00 p.m.                      Edward Cross Training Center Facility              Regular Meeting  
    722 Riverwood Drive  
    Pembroke, NH

## ***MONDAY, MAY 13, 2024***

### **NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4)**

10:00 a.m.                      NH Department of Safety                      Regular Meeting  
    2nd Floor Conference Room  
    33 Hazen Drive  
    Concord, NH

## ***MONDAY, MAY 20, 2024***

### **STATE COMMISSION ON AGING (RSA 19-P:1)**

10:00 a.m.                      NH Hospital Association                      Regular Meeting  
    125 Airport Road  
    Concord, NH  
    Zoom:  
    <https://us02web.zoom.us/j/87430173115?pwd=bUFR3I5emt3NGVudDBYYW9SZThLUt09>

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**FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEB SITE AND ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR THE FOLLOWING 2023 - 2024 BILLS:**

**SENATE BILLS:** 75, 80, 97, 106, 112, 128, 133, 134, 137, 151, 156, 173, 176, 177, 178, 180, 191, 210, 218, 229, 235, 239, 248, 249, 252, 255, 259, 263, 267, 303, 304, 306, 307, 308, 309, 311, 315, 317, 319, 320, 326, 329, 330, 335, 337, 342, 345, 347, 350, 351, 355, 361, 363, 364, 368, 369, 377, 383, 384, 387, 388, 393, 396, 397, 399, 401, 403, 404, 405, 406, 409, 410, 412, 413, 417, 419, 427, 436, 438, 439, 442, 443, 445, 453, 454, 455, 456, 457, 459, 463, 465, 466, 467, 470, 473, 478, 480, 484, 485, 486, 487, 489, 490, 492, 493, 495, 497, 498, 499, 500, 506, 511, 514, 518, 520, 522, 523, 525, 534, 536, 540, 545, 549, 550, 553, 554, 555, 556, 558, 559, 561, 562, 563, 567, 569, 575, 578, 579, 580, 583, 584, 588, 590, 591, 592, 595, 596, 601, 603

**HOUSE BILLS:** 68, 82, 107, 135, 182, 185, 229, 243, 250, 257, 307, 314, 354, 379, 397, 400, 450, 463, 468, 470, 476, 535, 558, 572, 596, 602, 618, 622, 644, 645, 653, 1003, 1105, 1260, 1696

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**ENROLLED BILL AMENDMENTS ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR 2024 BILLS:**

**SENATE BILLS:** 255

**HOUSE BILLS:** 68, 154, 397

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# SENATE BILLS AMENDED BY THE HOUSE

SENATE BILLS: 84, 112, 236, 249, 266

# HOUSE BILLS AMENDED BY THE SENATE

HOUSE BILLS: 135, 261, 596

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## NOTICES

### NOTICE

#### LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee has voted to issue the following advisory opinion, which is printed below in its entirety.

**Advisory Opinion 2024-1**  
**Response to a Request for an Advisory Opinion**  
**from Representative Judy Aron**  
**(January 29, 2024)**

Representative Judy Aron has submitted a request for an Advisory Opinion about whether, consistent with applicable statutes and the Ethics Guidelines, it would be “reasonable” for her, as chair of the House Committee on Environment and Agriculture, to ask her committee members if they were solicited by or accepted campaign donations from the Humane Society Legislative Fund (HSLF) and, if so, suggest that they should recuse themselves from voting on bills that are supported by the Humane Society.

#### **Background**

In completing its consideration of Representative Aron’s request, the Committee reviewed the facts set forth in the written request. In addition, at the Committee’s invitation, Representative Aron appeared before the Committee and provided direct testimony.

In her email, dated January 11, 2024, Representative Aron stated that in late November 2023, she received a \$500 donation in the form of a check from the Humane Society Legislative Fund. According to her email submission, the check was included with a letter from Kurt Ehrenberg, the NH State Director of HSLF. The letter stated:

“Dear Candidate, Please find the enclosed contribution from the Humane Society Legislative Fund of New Hampshire PAC. HSLF works to pass animal protection laws at the state and federal levels, to educate the public about animal protection issues, and to support humane candidates for office. Thank you for all you do to protect animals in your community.”

Representative Aron expressed concern that accepting a donation from HSLF and voting in favor of legislation promoted by HSLF could appear as a “quid pro quo situation” and said she “would not want any of my committee members to be accused of quid pro quo actions or to seem that such a contribution ‘bought their vote.’” She asked, “Since quid pro quo is outlined as a prohibited activity in item number 3 of the ethics guidelines should my committee members be alerted to the possibility of an ethics violation and therefore protect themselves by recusal when exec’ing these bills? With regard to the possibility of ethics violations, what is your recommendation here?”

#### **Relevant Statutory Provisions**

Ethics Guidelines Section 3 -- Prohibited Activities.

II. Legislators shall not solicit, accept, or agree to accept anything of value from another for themselves or other persons, if the legislator receives such thing of value:

(a) Knowing or believing the other's purpose to be the influencing of an action, decision, opinion, recommendation, or other official activity.

(b) Knowing or believing that the giver is or is likely to become subject to or interested in any matter or action pending before or contemplated by the legislator or the General Court.

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(d) In return for introducing legislation, testifying before any legislative committee or state agency, voting in committee or in House or Senate session, or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation, or any state agency.

Ethics Guidelines Section 4 -- Permitted Activities; Permitted Gifts.

I. Nothing in section 3, Prohibited Activities, shall be construed to prohibit the following:

(a) Giving or receiving campaign contributions made for the purpose of defraying the costs of a political campaign in compliance with RSA 664 or the Federal Election Campaign Act of 1971, as amended.

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II. The following shall not be considered gifts for the purposes of these Guidelines:

(a) A political contribution as defined in RSA 664.

RSA14-C:2 Definitions.

IV.(b) Notwithstanding subparagraph (a), "gift" shall not include:

(1) A political contribution as defined in RSA 664.

### **Committee Analysis**

The Committee acknowledges that campaign contributions are sometimes made by individuals or organizations with the hope that the legislator receiving the contribution will look favorably upon legislation the donor supports or opposes. The Committee is sympathetic with Representative Aron's concern that such situations can create at least the appearance of impropriety. However, the Legislature, in adopting the Ethics Guidelines and RSA 14-C, specifically exempted political contributions from the definition of a gift and permitted the giving or receiving of such contributions. There is an expectation that legislators will carry out their responsibilities as legislators regardless of who has provided political support. Individual legislators may decide not to accept political donations if they disagree with the donor's positions or are concerned about the donor's intent.

### **Conclusion**

As the Ethics Guidelines are currently established, it is not an ethical violation to accept a campaign contribution. We advise Representative Aron that it is the responsibility of her committee members to decide for themselves whether they should accept legal campaign contributions from individuals or organizations who may support or oppose legislation that could come before them. The members of her committee would not be required to recuse from voting or otherwise participating in official activities relating to legislation HSLF has supported or opposed solely on the basis of having received a campaign contribution from HSLF.

We appreciate the opportunity to be of assistance.

Honorable Edward M. Gordon, Chairman  
 Honorable Donna Sytek, Vice Chairman  
 Senator Cindy Rosenwald  
 Senator Ruth Ward  
 Representative Janet G. Wall  
 Representative Bob Lynn  
 Honorable David W. Hess

For the Committee,  
 Edward M. Gordon  
 Chairman

[Vote: 7-0]

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## **NOTICE LEGISLATIVE ETHICS COMMITTEE**

The Legislative Ethics Committee has voted to issue the following advisory opinion, which is printed below in its entirety.

### **Advisory Opinion 2024-2 Response to a Request for an Advisory Opinion from Senate Legal Counsel Richard J. Lehmann on Behalf of Senator Sharon M. Carson and Senator Daniel Innis (January 29, 2024)**

Senate Legal Counsel Richard J. Lehmann has submitted a request for an Advisory Opinion on behalf of Senator Sharon M. Carson and Senator Daniel Innis about whether, consistent with applicable statutes and the Ethics Guidelines, the Senators are required to recuse themselves from participating on certain bills that are of interest to their employers. In completing its consideration, the Committee reviewed the facts set forth in the written request and received testimony from Attorney Lehmann.

#### **Background**

According to the information submitted by Attorney Lehmann in his letter to the Committee dated January 17, 2024, Senator Carson is an adjunct professor who teaches at the Nashua Community College and Senator Innis is a tenured professor at the University of New Hampshire. The Senators receive their wages from the Community College System of New Hampshire and the University System of New Hampshire, respectively, both of which are public entities.

Attorney Lehmann referenced several decisions and advisory opinions issued by the Committee over the past decade and stated that “a rule has emerged that Section 3, II(b) of the Ethics Guidelines requires legislators to recuse themselves from matters on which their employers lobby, testify, or otherwise attempt to influence the outcome (of) legislation.” He asserted that the Ethics Guidelines and relevant statutes treat employment by state entities differently than employment by private entities, citing Section 4, I(h) of the Ethics Guidelines as providing a “safe-harbor that removes any transactions that are permitted under RSA 14-C from the prohibitions contained in Section 3” of the Ethics Guidelines. He cited RSA 14-C:2, IV(b)(8) as expressly excluding from the gift prohibition, “[w]ages...paid to the person by the state, a county, or the United States of America related to performance of official duties.” He argues that “[m]oney received by Sen. Carson and Sen. Innis is paid to them by the state and is related to the performance of their official duties for their employers. Accordingly, because Sen. Carson and Sen. Innis are not prohibited from accepting their salaries under RSA 14-C, their participation in matters in which their employers lobby, testify, or seek to influence the outcome is not prohibited by Section 3 of the Guidelines.”

#### **Committee Analysis**

The Committee engaged in a long discussion of the facts and circumstances presented and the applicable statutory guidelines and standards set by prior precedent. While Senators Carson and Innis are employed by the University System and the Community College System, in their positions as instructors, they clearly are unable to exercise substantial influence over the affairs of those organizations. While that language is not spelled out in statute, the Committee viewed RSA 14-C:2, IV(b)(8), as argued by Attorney Lehmann, and RSA 14-C:2, IV(b)(7) as provisions directed at exempting certain employees from the financial limitations which may otherwise require recusal. The Committee spent a considerable amount of time attempting to understand the intent behind the two provisions and to eliminate the ambiguity in their terms. While the Committee members may have differences over which of the two provisions may apply, all members were in agreement that, by virtue of their employment, one of the provisions exempted Senators Carson and Innis from recusal from matters on which their employer takes legislative positions.

#### **Conclusion**

Given the nature of their employment, the Committee found that Senator Carson and Senator Innis may participate in matters in which their employers, the Community College System of NH or the University System of NH, lobby, testify, or seek to influence the outcome of the matter under consideration.

We appreciate the opportunity to be of assistance.

Honorable Edward M. Gordon, Chairman  
 Honorable Donna Sytek, Vice Chairman  
 Senator Cindy Rosenwald  
 Senator Ruth Ward  
 Representative Janet G. Wall  
 Representative Bob Lynn  
 Honorable David H. Hess

For the Committee,  
 Edward M. Gordon  
 Chairman

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### **MONDAY, MARCH 11, 2024**

#### **Public Work Session**

Senator James Gray and Senator Rebecca Perkins Kwoka will be having a public work session on SB 448 (relative to the Woodsville fire district) on Monday, March 11th at 11:00 a.m. in LOB 103. The purpose of this work session is to collaborate on an amendment with stakeholders from Woodsville Fire District and Haverhill. All interested parties are welcome.

Please call 603-271-4980 with any questions.

Senator James P. Gray

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### **THURSDAY, MARCH 14, 2024**

All House and Senate members are invited to stop by the table of the National Multiple Sclerosis Society in the State House cafeteria from 11:00 a.m. to 1:00 p.m. on Thursday, March 14th. There will be literature for you and MS Society members to review the enormous progress being made in fighting this dreaded disease.

Senator Shannon E. Chandley

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### **FRIDAY, MARCH 15, 2024**

The Department of Natural and Cultural Resources (DNCR) and the NH State Council on the Arts (NHSCA) invite all legislators to join them at Representatives Hall on Friday, March 15th at 5:00 p.m. to watch our High School finalists vie for the opportunity to attend the National finals in DC this May. A national recitation program for high school-aged students, Poetry Out Loud has participants select, memorize and recite classic and contemporary poems, helping them to master public speaking skills, build self-confidence and learn about literary history and contemporary life.

Senator Rebecca Whitley

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### **THURSDAY, MARCH 21, 2024**

All legislators are invited to join NH's disability organizations on Thursday, March 21, 2024, from 12:00 p.m. until 1:30 p.m. at the State House Cafeteria to learn about and discuss how policy can impact the lives of people with disabilities. Hear how these organizations can be a resource for our decision makers. This event is co-sponsored by the NH Bipartisan Disability Caucus and is in memory of champion advocate, Jeff Dickinson. Refreshments will be served.

For any questions contact: [Vanessa.A.Blais@ddc.nh.gov](mailto:Vanessa.A.Blais@ddc.nh.gov) or call 603-271-7040.

Senator Rebecca Perkins Kwoka

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### THURSDAY, MARCH 28, 2024

Please join the NH Oral Health Coalition in celebrating the 1-year birthday anniversary of the successful roll-out of NH's Medicaid Adult Dental Benefit, NH Smiles. This open-house style program highlights the bipartisan collaboration that helped to make NH one of the nation's healthiest states. Get an update on the benefit, the rollout, and the impact on the people of NH, your constituents. Talk to the team that led the rollout, Mr. Tom Raffio, Dr. Jay Maillet, Dr. Sarah Finne, and Mr. Ed Lorch. Hear from the Institute on Disabilities Oral Health Consumer Task Force that created a beneficiary-facing brochure. Find out about the "Sealing Smiles Across NH" school-based pilot. March 28 1:30 p.m. to 3:00 p.m. in the State House Cafeteria. Take a Break and Eat Cake! RSVP to Gail Brown at [gbrown@nhoralhealth.org](mailto:gbrown@nhoralhealth.org) or 603-415-5550.

Senator Jeb Bradley, Senate President

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## SENATE SCHEDULE

Thursday, March 28, 2024	Deadline for Policy Committees to ACT on all Senate bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.
Thursday, April 11, 2024	CROSSOVER – Deadline to ACT on all Senate bills.
Thursday, May 09, 2024	Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.
Thursday, May 23, 2024	Deadline to ACT on all House bills.
Monday, May 27, 2024	Memorial Day (State Holiday)
Thursday, May 30, 2024	Deadline to FORM Committees of Conference.
Thursday, June 06, 2024	Deadline to SIGN Committee of Conference Reports. (4:00 p.m.)
Thursday, June 13, 2024	Deadline to ACT on Committee of Conference Reports.
Thursday, July 04, 2024	Independence Day (State Holiday)
Monday, September 02, 2024	Labor Day (State Holiday)
Monday, November 11, 2024	Veterans' Day (State Holiday)
Thursday, November 28, 2024	Thanksgiving Day (State Holiday)
Friday, November 29, 2024	Day after Thanksgiving (State Holiday)
Wednesday, December 25, 2024	Christmas Day (State Holiday)