

**NEW HAMPSHIRE GENERAL
COURT LEGISLATIVE ETHICS
COMMITTEE COMPLAINT
FORM**

I, the undersigned, do allege that, in my personal knowledge, the following individual, **TRAVIS O'HARA**, who holds the position of State Representative (R-Belmont), did commit a violation of law, or of a guideline, rule or regulation of the General Court. In support of my complaint, I offer the following statement of facts.

Here are the background data points supporting this Ethics Complaint: facts.

- Travis O'Hara ("O'Hara") was re-elected as a NH Stated Representative from Belknap County in November of 2022 from District 4 (Belmont).
- On December 7, 2022, O'Hara signed and submitted his oath of office, a copy of which is attached. Included within his oath of office is the following relevant portion of the oath (emphasis mine):

Being before His Excellency, the Governor, and the Honorable Council,

"I Travis O'Hara, do solemnly and sincerely swear and affirm that I will faithfully and impartially discharge and perform all duties incumbent on me as STATE REPRESENTATIVE according to the best of my abilities, agreeably to **the rules and regulations of this Constitution and laws of the state of New Hampshire**. So help me God."

- Subsequent to his re-election in November, 2022, NH State Representative Travis O'Hara was elected as the Clerk of the Belknap County Delegation. Thus, he became generally responsible for all clerical functions and administration of meetings of the Delegation **including arranging for the proper and legally required publication of notices of all meetings in compliance with the requirements of RSA 91-A.**
- Two notable New Hampshire Laws tightly proscribe how the Delegation is to act:
 - New Hampshire **RSA 91-A** Access to Public Offices and Meetings (<https://www.gencourt.state.nh.us/rsa/html/VI/91-A/91-A-mrg.htm>) which controls how Meetings are to be publicly noticed and what governmental information shall be released by government officials and employees
 - New Hampshire **RSA 24** County Conventions (<https://www.gencourt.state.nh.us/rsa/html/II/24/24-mrg.htm>) which tightly enumerates how a Delegation is to conduct the Public's business. RSA 25:9-d also has proscriptions as to how meetings of a County Delegations are to be publicly noticed.

Given the above points, I assert the following violations where State Representative Travis O'Hara has aggrieved NH Law:

- On multiple occasions, and despite being cautioned about the requirements of RSA 91-A by more experienced members of the Delegation, State Representative and Belknap County Delegation Clerk O'Hara **failed, or refused to cause, or to arrange for, proper noticing of meetings of the Delegation** to be published and posted in advance as required by RSA 91-A so that the public would be notified and could attend.
- Each of these occasions constituted clear violations of O'Hara's statutory duties under RSA24:9-d, which provides (emphasis mine):

24:9-d Notice. –The clerk of the convention, or his or her designee, **shall** mail to each member of the convention a notice stating the time, place and purpose of further meetings **at least 7 days before** the day of the meeting **and shall cause to be published a like notice at least 7 days before the day of the meeting in a newspaper of general circulation in the county.** Mailing such notice is not required during any session of the general court, if the notice is printed for 2 legislative days in the journal of the house of representatives.

- The failure to notice meetings were in notifying the Public of the three Budget Subcommittee meetings that were held during January, 2023.
- Proof of this fact can be supplied as I:
 - **Submitted an RSA 91-A Right to Know demand to the County Administrator**, for all of the Delegation meetings from December forward, for the transaction history of the General Ledger Accounts used for publishing such Public Notices to the local paper-of-note (the "Laconia Daily Sun") as required RSA 91-A as well as the associated "paper audit trail" those transactions.
 - Asked the Laconia Daily Sun publisher, and received, any and all copies of the ads placed on behalf of the Delegation in his publication as well as their paper audit trails.
- There were expenditures in the General Ledger account transaction histories by the County to the Daily Sun to pay for full Delegation meetings (two meetings).
- There were **no** expenditures in the General Ledger account transaction histories by the County to the Daily Sun to pay for the three Budget Subcommittee meetings.
- The Responsive Records returned by the County demonstrated that there were **no** invoices from the Laconia Daily Sun **nor** remittances from the County to the Laconia Daily Sun for the three Budget Subcommittee meetings.
- In addition, both the County and the Laconia Daily Sun provided only the two ads that appeared in the Laconia Daily Sun for the full Delegation meetings held during this time period.

With these facts, it was clear, even after repeated admonitions to do so, no attempt was made to Follow The Law in this regard.

Conclusion and Proposed Remedy:

Accordingly, NH State Representative O'Hara should be found to have willingly and knowingly violated State law contra his oath of office (promising to follow the above Laws as well as Article 8 of the NH Constitution):

All power residing originally in, and being derived from, the people, all the magistrates and officers of government are their substitutes and agents, and **at all times accountable to them**. Government, therefore, **should be open, accessible, accountable and responsive**. To that end, **the public's right of access to governmental proceedings and records shall not be unreasonably restricted**. The public also has a right to an orderly, **lawful**, and accountable government.

and he should be removed from office, or otherwise sanctioned, for such violations.

I understand that the filing of this complaint is **confidential** and that the initial review and preliminary investigation of this complaint shall be conducted in nonpublic session unless otherwise requested by the individual(s) complained against. I further understand that unauthorized disclosure of confidential matters or materials contrary to RSA 14-B:4, is punishable in accordance with RSA 14-B:4-a.

Signed,

Printed name: David "Skip" Murphy

Address: 9 Gilford Glen Road, Gilford, New
Hampshire 03249

On this the ____ day of _____, 2023, before me,
_____, the undersigned officer, the above-named signatory/signatories personally
appeared and took oath that the foregoing document by him/her/them subscribed is true.

Title of Officer