



State of New Hampshire

GENERAL COURT

LEGISLATIVE ETHICS COMMITTEE

State House - Room 112
Concord, NH 03301-4951

June 20, 2023

David "Skip" Murphy
9 Gilford Glen Road
Gilford, N.H. 03249

RE: Complaint 2023-6

Dear Mr. Murphy

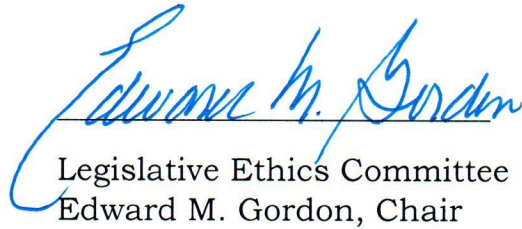
On June 12, 2023, the Legislative Ethics Committee completed its initial review of the complaint you filed, alleging that Representative Travis O'Hara did commit a violation of law or of a guideline, rule or regulation of the General Court. In conducting its review, the Committee considered the complaint form which you filed, the response received from Attorney Fitzgerald on behalf of Travis O'Hara and the testimony it heard from both you and Representative O'Hara at the meeting on May 26, 2023.

Your complaint alleges that Representative O'Hara, serving as the Clerk of the Belknap County Delegation, failed to fulfill his obligations of publication of notices of meetings as required by RSA 91-A and RSA 24:9-d. Specifically, you allege that three budget subcommittee meetings held in early 2023 lacked sufficient public notice. That fact is uncontested. However, it was understood by Representative O'Hara that notice would be arranged by the County Administrator Debra Shackett, as was customary practice. Ms. Shackett has acknowledged that she failed to arrange for proper notice and has made a public apology.

Regardless of the circumstances, you have argued that Representative O'Hara should be held strictly liable for failure to follow the law. The Committee has considered the remedies set forth in the Right to Know law for non-compliance by individuals. That law applies no sanctions unless an individual acts in bad faith. The Committee cannot find that Representative O'Hara acted in bad faith in these circumstances. It finds no ethical violation.

The Committee finds the allegations to be unfounded and the Committee voted to dismiss the Complaint. (5-0)

Sincerely,



Edward M. Gordon
Legislative Ethics Committee
Edward M. Gordon, Chair

cc: Honorable Travis O'Hara
Paul T. Fitzgerald, Esq.
Members, Legislative Ethics Committee