



ORDINANCE

AMENDING ELECTED OFFICIAL REPORTING REQUIREMENTS

CITY OF NASHUA

In the Year Two Thousand and Eleven

The City of Nashua ordains that Part I “Administrative Legislation”, of the Nashua Revised Ordinances, as amended, be hereby further amended by deleting the struck-through language and adding new underlined language as follows:

1. In Chapter 5 “Administration of Government”, Part 5 “Conduct Regulations”, Article XVIII “Ethics Rules”, Section 5-98 “Participation in certain matters in which employee has financial interest”:

“§ 5-98. Participation in certain matters in which employee has financial interest.

...

C. Subsections A and B shall not apply to questions voted on by the Board of Aldermen, Board of Education, Board of Public Works, Board of Fire Commissioners, Finance Committee, Joint Special School Building Committee and committees and subcommittees of such boards and committees, which shall instead be governed by the following standards:

...

(5) ~~In December at the end of each calendar year~~ On June 1 of each year, any office holder will inform the City Clerk’s office of any position as a board trustee or like that ~~they are~~ he or she is involved in.”

2. In Chapter 23 “Elections and Campaigns”, Article IV “Campaign Contributions”, Section 23-18 “Publication”:

“§ 23-18. Publication.

...

- C. Statements of receipts and expenditures relative to ~~an~~ a municipal election shall cover the a period of ~~365 days~~ expiring two days prior to the filing of the statements, which shall be filed 20 days prior to the election, and again ~~30 days after the election, in totum; provided, however, that the statement of receipts and expenditures due after the November municipal election, provided for under Section 5 of the City Charter, shall be filed on December 1 of that year rather than 30 days after the election~~ on October 1 following a Mayoral primary election held on the second Tuesday of September under Charter Sec. 5a; on December 1 following a municipal election held on the first Tuesday following the first Monday in November; or 30 days following a special municipal election.
- D. ~~On December 1 of each year~~ Any office holder who during that the year shall have received any item of value, not a campaign receipt, shall file a statement with the City Clerk detailing each such receipt, including the value, date, and name and address of the contributor thereof, in accordance with Chapter 23, Article VI “Gifts, Testimonials, Honorariums”. An office holder who files the campaign statement of receipts and expenditures required on December 1 under Subsection C shall be deemed in compliance with the requirement of this subsection.”

3. In Chapter 23 “Elections and Campaigns”, Article IV “Campaign Contributions”, add a new section as follows:

“§ 23-18.2. Continued filings required.

Any political committee or candidate which has any outstanding debt, obligation, or surplus following the second campaign receipt and expenditure report for a municipal election shall file reports by June 1 and December 1 of each year following said election in the same form as in Section 23-18, E until the obligation or indebtedness is entirely satisfied or surplus deleted, at which time a final report shall be filed. Provided, however, that a political committee or candidate may amend, update, or submit a final report at additional times other than those required under this section.”

4. In Chapter 23 “Elections and Campaigns”, Article VI “Gifts, Testimonials, Honorariums”, Section 23-23 “Disclosure required”:

“§ 23-23. Disclosure required.

Every elected official shall file a statement semiannually with the City Clerk by June 1 and December 1 ~~June 30 and December 31~~, on a form adopted by the Clerk, showing any income received by the official during the calendar year from testimonials, gifts, honorariums, donations, or any other source, when the receipt of such income is attributable to the office held by the official. This report shall not include campaign contributions, income received by the official in his or her regular course of employment or business or salary, mileage, or expense payments made to the official by the City for performance of official duties for the calendar year. The statement shall give in alphabetical order the full name, post office address, occupation, and principal place of business if any, of all contributors who gave an individual or an aggregate total of more than \$50 of such income and the date received. The statement shall be a public record under RSA 91-A. For the purpose of this section, “income attributable to the office held by the official” means any gift, honorarium, or testimonial income which is received by an official in his or her official capacity, and which would not have been received by the official but for the office he or she holds.”

5. In Chapter 23 “Elections and Campaigns”, Article VI “Gifts, Testimonials, Honorariums”, add a new section as follows:

“§ 23-23.1. Continued filings required.

Any elected official who has any outstanding debt, obligation, or surplus following a filing required by this Article shall continue to file reports by June 1 and December 1 of each subsequent year in the same financial disclosure form as required under this Article until the obligation or indebtedness is entirely satisfied or surplus deleted, at which time a final report shall be filed. Provided, however, that an election official may amend, update, or submit a final report at additional times other than those required under this section.”

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall take effect following its passage.

LEGISLATIVE YEAR 2011

ORDINANCE: O-11-59

PURPOSE: Amending elected official reporting requirements

ENDORSERS: Alderman-at-Large David W. Deane

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: None.

ANALYSIS

This ordinance makes several amendments to the elected official reporting requirements. Two proposed new sections amend campaign and testimonial financial reporting to require subsequent filings as long as there remains "outstanding debt, obligation, or surplus" from a campaign or from gifts, honorariums and testimonials. That language is modeled after state law, RSA 664:6 "Reporting by political committee". The other proposed changes are recommendations from the city clerk relative to the timing of reporting, the reporting period for campaigns, and referencing the relevant article.

Approved as to form: Office of Corporation Counsel

By: Dowley Clarke

Date: February 15, 2011

ORDINANCE 0-11-59

Amending elected official

reporting requirements

IN THE BOARD OF ALDERMEN

1ST READING FEBRUARY 22, 2011

Referred to:

PERSONNEL AND ADMINISTRATIVE

AFFAIRS COMMITTEE

2nd Reading MARCH 22, 2011

3rd Reading _____

4th Reading _____

Other Action _____

Passed MARCH 22, 2011

Indefinitely Postponed _____

Defeated _____

Attest: *Paul Berger*
City Clerk

Bill Flynn
President

Approved *Melissa Logan*
Mayor's Signature

3/24/11
Date

Endorsed by *[Signature]* DEANE

_____ CLEMONS

[Signature] CRAFFEY

_____ PRESSLY

_____ MELIZZI-GOLJA

Vetoed: _____

Veto Sustained: _____

Veto Overridden: _____

Attest: _____
City Clerk

_____ President