

LEGISLATIVE COMMITTEE MINUTES

**SB183**

Bill as  
Introduced

SB 183-FN - AS INTRODUCED

2019 SESSION

19-1008  
04/08

SENATE BILL        ***183-FN***

AN ACT            relative to salaries of certain circuit court judges.

SPONSORS:        Sen. Hennessey, Dist 5

COMMITTEE:       Judiciary

---

ANALYSIS

This bill repeals the salary differential for the associate justices of the Concord, Nashua, and Manchester district courts.

---

Explanation:       Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears [~~in brackets and struck through.~~]  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nineteen*

AN ACT                   relative to salaries of certain circuit court judges.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

- 1           1 Repeal. RSA 502-A:6, I-a, relative to salary differential of the associate justices of the
- 2           Concord, Nashua, and Manchester district courts, is repealed.
- 3           2 Effective Date. This act shall take effect July 1, 2019.

LBAO  
19-1008  
1/7/19

**SB 183-FN- FISCAL NOTE  
AS INTRODUCED**

**AN ACT** relative to salaries of certain circuit court judges.

**FISCAL IMPACT:**

The Legislative Budget Assistant has determined that this legislation, as introduced, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2020 through 2023.

**AGENCIES CONTACTED:**

Judicial Branch

SB 183-FN - FINAL VERSION

2019 SESSION

19-1008  
04/08

SENATE BILL        ***183-FN***

AN ACT            relative to salaries of certain circuit court judges.

SPONSORS:        Sen. Hennessey, Dist 5

COMMITTEE:      Judiciary

---

ANALYSIS

This bill repeals the salary differential for the associate justices of the Concord, Nashua, and Manchester district courts.

-----

Explanation:      Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears ~~[in brackets and struck through]~~  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nineteen*

AN ACT                   relative to salaries of certain circuit court judges.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 Repeal. RSA 502-A:6, I-a, relative to salary differential of the associate justices of the  
2 Concord, Nashua, and Manchester district courts, is repealed.

3           2 Effective Date. This act shall take effect July 1, 2019.

LBAO  
19-1008  
1/7/19

**SB 183-FN- FISCAL NOTE  
AS INTRODUCED**

**AN ACT** relative to salaries of certain circuit court judges.

**FISCAL IMPACT:**

The Legislative Budget Assistant has determined that this legislation, as introduced, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2020 through 2023.

**AGENCIES CONTACTED:**

Judicial Branch



CHAPTER 89  
SB 183-FN - FINAL VERSION

2019 SESSION

19-1008  
04/08

SENATE BILL            **183-FN**  
AN ACT                relative to salaries of certain circuit court judges.  
SPONSORS:            Sen. Hennessey, Dist 5  
COMMITTEE:          Judiciary

---

ANALYSIS

This bill repeals the salary differential for the associate justices of the Concord, Nashua, and Manchester district courts.

---

Explanation:        Matter added to current law appears in ***bold italics***.  
                          Matter removed from current law appears ~~[in brackets and struck through]~~  
                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 89  
SB 183-FN - FINAL VERSION

19-1008  
04/08

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nineteen*

AN ACT                   relative to salaries of certain circuit court judges.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

- 1           89:1 Repeal. RSA 502-A:6, I-a, relative to salary differential of the associate justices of the
- 2           Concord, Nashua, and Manchester district courts, is repealed.
- 3           89:2 Effective Date. This act shall take effect July 1, 2019.

Approved: June 18, 2019  
Effective Date: July 01, 2019

# Committee Minutes

# SENATE CALENDAR NOTICE

## Judiciary

Sen Martha Hennessey, Chair  
 Sen Shannon Chandley, Vice Chair  
 Sen Melanie Levesque, Member  
 Sen Sharon Carson, Member  
 Sen Harold French, Member

Date: January 23, 2019

### HEARINGS

	Tuesday	01/29/2019
	(Day)	(Date)
Judiciary		SH 100
(Name of Committee)		9:00 a.m.
9:00 a.m. <b>SB 183-FN</b>		relative to salaries of certain circuit court judges.
9:15 a.m. <b>SB 130-FN</b>		establishing positions within the cold case homicide unit.
9:30 a.m. <b>SB 125-FN</b>		relative to parental reimbursement for voluntary services provided under the child in need of services (CHINS) program.
9:50 a.m. <b>SB 90-FN</b>		relative to certain disclosures by health care provider facilities.
10:15 a.m. <b>SB 89-FN</b>		relative to the penalties for violation of privacy.

### EXECUTIVE SESSION MAY FOLLOW

**Sponsors:**

**SB 183-FN**

Sen. Hennessey

**SB 130-FN**

Sen. Bradley  
 Sen. D'Allesandro  
 Sen. Morgan  
 Rep. Hinch

Sen. Birdsell  
 Sen. Feltes  
 Sen. Ward  
 Rep. DesMarais

Sen. Carson  
 Sen. Gray  
 Rep. Marsh

Sen. Cavanaugh  
 Sen. Levesque  
 Rep. MacDonald

**SB 125-FN**

Sen. Bradley  
 Sen. Dietsch  
 Sen. Hennessey  
 Sen. Ward

Sen. Birdsell  
 Sen. Feltes  
 Sen. Kahn  
 Sen. Watters

Sen. Carson  
 Sen. Fuller Clark  
 Sen. Morgan  
 Rep. Berrien

Sen. D'Allesandro  
 Sen. Gray  
 Sen. Rosenwald  
 Rep. Rice

**SB 90-FN**

Sen. Sherman  
 Sen. Giuda

Sen. Hennessey  
 Rep. Marsh

Sen. Kahn  
 Rep. Knirk

Sen. Levesque  
 Rep. McMahon

**SB 89-FN**

Sen. Gray

Sen. Watters

Jennifer Horgan 271-2609

Martha S. Hennessey  
 Chairman

**Senate Judiciary Committee**  
*Jennifer Horgan 271-2609*

SB 183-FN, relative to salaries of certain circuit court judges.

**Hearing Date:** January 29, 2019

**Time Opened:** 9:00 a.m.

**Time Closed:** 9:09 a.m.

**Members of the Committee Present:** Senators Hennessey, Chandley, Levesque, Carson and French

**Members of the Committee Absent :** None

**Bill Analysis:** This bill repeals the salary differential for the associate justices of the Concord, Nashua, and Manchester district courts.

---

**Sponsors:**

Sen. Hennessey

---

**Who supports the bill:** Senator Hennessey; Howard Zibel, Judicial Branch

**Who opposes the bill:** No one

**Summary of testimony presented in support:**

**Senator Hennessey**

- This bill repeals the salary differential for the associate justices of the Concord, Nashua, and Manchester district courts.
- This bill was at the request of the Judicial Branch.

**Howard Zibel (Judicial Branch) (provided written testimony)**

- This is a simple bill to end an anachronism in the statute.
- RSA 502-A:6 currently states that the salaries for the associate justices of the Manchester, Nashua, and Concord district courts shall be \$300 less than the amount paid to the justice, as written in paragraph 1.
- Paragraph 1 no long governs the payment to judges.
- For many years, the salaries of these justices have been included in the budget.
- The Judicial Branch has been following the budget bills.
- Senator Levesque asked if there is any differential in pay for judges.
  - Superior court and circuit court judges make the same amount of money. The chief justice of the superior court, administrative judge of the circuit court, and the associate justices of the Supreme Court make a little more. The chief justice of the Supreme Court makes slightly more than that.
- Senator Levesque asked if those differentials are no longer referred to in this statute.

- They does not, and this statute conflicts with other statutes.

**Summary of testimony presented in opposition:**

None

jch

Date Hearing Report completed: January 31, 2019

# Speakers





# Testimony

# TITLE LI COURTS

## CHAPTER 502-A DISTRICT COURTS

### Section 502-A:6

#### 502-A:6 Salaries of Justices, Special Justices, Clerks. –

The annual salaries of justices, special justices and clerks of the district courts shall be paid by the state as follows:

I. The state shall pay the justices of the district courts either (a) salaries based upon weighted caseload as provided in RSA 491-A:3; or (b) their annual salaries prior to the enactment of RSA 491-A:3; whichever is greater.

~~I.a. Salary of Associate Justice, Manchester, Nashua and Concord District Courts. The annual salary of the associate justices of the Manchester District Court, the Nashua District Court and the Concord District Court shall each be an amount \$300 less than the amount paid the justice thereof as provided in paragraph I.~~

II. The annual salaries of the special justices of the district courts appointed prior to July 1, 1987, shall be an amount equal to 30 percent of the salary paid to the justices, as provided in paragraph I, or the current annual salary of the special justice for 1987, whichever is greater. Provided further that the special justice may receive, and all special justices appointed after July 1, 1987, shall receive, per diem compensation determined by the supreme court upon recommendation by the judicial branch administrative council, plus reasonable expenses as determined by the supreme court. In those cases where prior to July 1, 1987, the special justice was paid on a per diem basis, such per diem payment shall continue unless changed by the supreme court. In the event of the death, resignation, or retirement of the justice and when no appointment is made to fill the vacancy caused thereby for a period of 60 days, the special justice shall then be paid the salary of the justice until his vacancy is filled. If the justice is absent due to illness or disqualification for any other reason for a period of more than 60 days, the special justice shall be entitled to the salary of the justice until the justice is able to assume his duties. Whenever a justice or special justice sits in another court by request, he or she shall be paid the same per diem compensation as is generally allowed to per diem special justices sitting in their own courts, plus reasonable expenses.

III. [Repealed.]

IV. [Repealed.]

V. [Repealed.]

**Source.** 1963, 331:1. 1965, 138:1; 294:1. 1967, 193:1; 438:1. 1969, 124:3-5. 1970, 14:1, 2. 1971, 123:2, 4; 288:1. 1973, 286:1, 3; 413:1; 535:2. 1975, 135:1, 2. 1976, 12:1. 1977, 521:1. 1979, 287:2; 299:14, 16-18; 365:1; 430:2. 1981, 568:136, III. 1983, 383:30-34, 78, IV; 437:1. 1987, 272:2, 3. 1992, 284:33, eff. Jan. 1, 1993. 2011, 88:29(14), 29(15), eff. July 1, 2011.

# Voting Sheets

# Senate Judiciary Committee

## EXECUTIVE SESSION

Bill # SB193

Hearing date: \_\_\_\_\_

Executive session date: \_\_\_\_\_

Motion of: OTD

VOTE: 5-0

<u>Made by</u> Hennessey <input type="checkbox"/>	<u>Seconded</u> Hennessey <input type="checkbox"/>	<u>Reported</u> Hennessey <input type="checkbox"/>
<u>Senator:</u> Chandley <input checked="" type="checkbox"/>	<u>by Senator:</u> Chandley <input type="checkbox"/>	<u>by Senator:</u> Chandley <input type="checkbox"/>
Carson <input type="checkbox"/>	Carson <input type="checkbox"/>	Carson <input type="checkbox"/>
Levesque <input type="checkbox"/>	Levesque <input checked="" type="checkbox"/>	Levesque <input type="checkbox"/>
French <input type="checkbox"/>	French <input type="checkbox"/>	French <input type="checkbox"/>

Motion of: consent

VOTE: \_\_\_\_\_

<u>Made by</u> Hennessey <input type="checkbox"/>	<u>Seconded</u> Hennessey <input type="checkbox"/>	<u>Reported</u> Hennessey <input type="checkbox"/>
<u>Senator:</u> Chandley <input checked="" type="checkbox"/>	<u>by Senator:</u> Chandley <input type="checkbox"/>	<u>by Senator:</u> Chandley <input type="checkbox"/>
Carson <input type="checkbox"/>	Carson <input type="checkbox"/>	Carson <input type="checkbox"/>
Levesque <input type="checkbox"/>	Levesque <input checked="" type="checkbox"/>	Levesque <input type="checkbox"/>
French <input type="checkbox"/>	French <input type="checkbox"/>	French <input type="checkbox"/>

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator Hennessey, Chairman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Chandley, Vice-Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Carson	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Levesque	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator French	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*Amendments: \_\_\_\_\_

Notes: \_\_\_\_\_

# Committee Report

STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Thursday, January 31, 2019

THE COMMITTEE ON Judiciary

to which was referred SB 183-FN

AN ACT relative to salaries of certain circuit court judges.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Sharon Carson  
For the Committee

This bill repeals the salary differential for the associate justices of the Concord, Nashua, and Manchester district courts. The salaries for these positions are currently established in the budgetary process, making the language of RSA 502-A:6, I-a irrelevant as the Judicial Branch adheres to the salaries established in the budget process.

Jennifer Horgan 271-3092

FOR THE CONSENT CALENDAR

**JUDICIARY**

**SB 183-FN**, relative to salaries of certain circuit court judges.

Ought to Pass, Vote 5-0.

Senator Sharon Carson for the committee.

This bill repeals the salary differential for the associate justices of the Concord, Nashua, and Manchester district courts. The salaries for these positions are currently established in the budgetary process, making the language of RSA 502-A:6, I-a irrelevant as the Judicial Branch adheres to the salaries established in the budget process.

**Docket of SB183**

Docket Abbreviations

**Bill Title:** relative to salaries of certain circuit court judges.*Official Docket of SB183.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/22/2019	S	<b>Introduced</b> 01/03/2019 and Referred to Judiciary; <b>SJ 4</b>
1/23/2019	S	<b>Hearing:</b> 01/29/2019, Room 100, SH, 09:00 am; <b>SC 8</b>
2/4/2019	S	Committee Report: Ought to Pass, 02/14/2019; Vote 5-0; CC <b>SC 10</b>
2/15/2019	S	Special Order to the Present Time, Without Objection, MA; 02/14/2019; <b>SJ 5</b>
2/14/2019	S	<b>Ought to Pass:</b> MA, VV; OT3rdg; 02/14/2019; <b>SJ 5</b>
3/21/2019	H	Introduced 03/20/2019 and referred to Judiciary <b>HJ 11</b> P. 70
3/26/2019	H	Public Hearing: 04/17/2019 10:15 am LOB 208
4/23/2019	H	Executive Session: 04/30/2019 10:00 am LOB 208
5/1/2019	H	Committee Report: Ought to Pass for 05/08/2019 ( <b>Vote 18-1; RC</b> ) <b>HC 23</b> P. 16
5/8/2019	H	<b>Ought to Pass:</b> MA VV 05/08/2019 <b>HJ 15</b> P. 80
5/31/2019	H	Enrolled 05/23/2019 <b>HJ 16</b> P. 51
5/31/2019	S	Enrolled (In recess 05/30/2019); <b>SJ 19</b>
6/20/2019	S	Signed by the Governor on 06/18/2019; Chapter 0089; Effective 07/01/2019

NH House

NH Senate



# Other Referrals

## Senate Inventory Checklist for Archives

Bill Number: SB 183-FN

Senate Committee: Judiciary

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

### Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

### Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

\_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_

\_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_

Executive Session Sheet

Committee Report

### Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

\_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_

\_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_

### Post Floor Action: (if applicable) {Clerk's Office}

\_\_\_ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

\_\_\_ Enrolled Bill Amendment(s)

\_\_\_ Governor's Veto Message

### All available versions of the bill: {Clerk's Office}

\_\_\_ as amended by the senate      \_\_\_ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

\_\_\_\_\_  
Committee Aide

\_\_\_\_\_  
Date

Senate Clerk's Office jm