



JOINT PRESS RELEASE

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New Hampshire Legislative Leaders File Emergency Motion to Ensure Swift Delivery of Federal Coronavirus Funds & Protect Constitutional Balance of Powers

CONCORD—Today, Representative Mary Jane Wallner, Chair of the Joint Fiscal Committee, Senator Lou D'Allesandro, Vice Chair of the Joint Fiscal Committee, Senate President Donna Soucy, and Speaker Stephen Shurtleff filed an emergency motion to ensure swift delivery of the federal COVID-19 relief funds. The court filing seeks to ensure that the law is followed so the Joint Fiscal Committee can fulfill its constitutional role in the disbursement of the CARES Act funding, and any other funding that New Hampshire receives due to the COVID-19 pandemic, as quickly as possible.

After announcing the suit, Representative Wallner, Senator D'Allesandro, Speaker Shurtleff, and President Soucy released the following statements:

"Right now, the Legislature's most important job is to get federal funds to combat coronavirus into the hands of New Hampshire families, communities, businesses, and nonprofits that have been impacted. The swiftest means of doing that effectively, equitably, and constitutionally is the bipartisan Joint Legislative Fiscal Committee. Unfortunately, Governor Sununu has chosen to disregard the legislative branch, which represents the voice of the people. His refusal to compromise led us to the judicial branch today, where we are seeking an expedited court ruling to resolve this constitutional crisis," said **Representative Mary Jane Wallner (D-Concord)**, Chair of the Joint Fiscal Committee.

"The Joint Fiscal Committee has always been central to accepting and expending federal funds during emergencies - including under Governor Benson during the 2003 floods and Governor Lynch during the Great Recession," said **Senator Lou D'Allesandro (D-Manchester)**. "The Fiscal Committee has always acted quickly and judiciously - as evidenced by last week's swift approval of funds from the federal Families First Coronavirus Response Act to bolster our state Meals on Wheels program and make sure our seniors don't go hungry. The committee's openness and transparency ensures that Granite Staters can have faith that the allocated funds are being wisely spent."

House Speaker Stephen Shurtleff (D-Penacook) added, "As a presiding officer, it is my duty to advocate for the people of the state who elected the legislature. We are doing what the people

of New Hampshire need us to do to get through this crisis and ensure that every Granite Stater has access to the financial relief they need during this difficult time. The executive branch does not have unconstrained power to budget and spend money without legislative branch involvement. No governor can unilaterally spend \$1.25 billion in taxpayer money on their own. Our constitution demands co-equal branches of government to ensure a thriving republic and we will do everything we can to maintain that balance of power - for the good of the people.”

“No one’s first choice - or even second choice - was to go to court. We reached out to the Governor on multiple occasions to settle this amicably. But Governor Sununu refused, and he left us no other choice. The Governor's assertion that he can bypass the Fiscal Committee and be the sole arbiter of \$1.25 billion and more in taxpayer money is not what’s best for the people of New Hampshire, and it would set a dangerous precedent that could allow any governor to violate the separation of powers clause,” said **Senate President Donna Soucy (D-Manchester)**. “We are filing this motion today to make sure there is a quick resolution - before the federal government delivers the CARES Act funding at the end of April - that allows these funds to reach Granite Staters without delay.”

A copy of the motion is attached.

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