

HB 670-FN – AS INTRODUCED

2013 SESSION

13-0421  
09/01

HOUSE BILL            **670-FN**

AN ACT            relative to marital masters.

SPONSORS:        Rep. Coulombe, Coos 3; Rep. G. Richardson, Merr 10; Rep. Horrigan, Straf 6;  
Rep. Kelleigh Murphy, Hills 7; Rep. Gale, Hills 28

COMMITTEE:      Judiciary

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ANALYSIS

This bill allows for the appointment of new martial masters and permits current marital masters to remain in office until retirement, resignation, disability, or nonrenewal of appointment. The bill also requires the appointment of a new martial master to serve in the Coos superior court.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Thirteen*

AN ACT relative to marital masters.

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

1 1 Circuit Court Judges; Marital Masters. RSA 490-F:7, III is repealed and reenacted to read as  
2 follows:

3 III. Upon the retirement, resignation, disability, or nonrenewal of appointment of a marital  
4 master, the position shall be converted to a full-time judicial position, provided that the fiscal  
5 committee of the general court approves and further provided that sufficient funds have been  
6 appropriated for the salary and benefits of the full-time judicial position. Once converted to a full-  
7 time judicial vacancy, the governor may nominate and the council may confirm any qualified person  
8 pursuant to part 2, article 46 of the New Hampshire constitution. If the fiscal committee of the  
9 general court does not approve, or if there are not sufficient funds available to fund the salary and  
10 benefits of the full-time judicial position, the master position shall not be eliminated, and a new  
11 master may be appointed pursuant to RSA 490-D:7.

12 2 Coos Superior Court; Marital Master. A new marital master shall be appointed and assigned  
13 to the Coos superior court on or before July 1, 2013.

14 3 Repeal. The following are repealed:

15 I. 2011, 272:3, relative to marital master contracts.

16 II. 2012, 66:1-7, relative to the prospective repeal of provisions relative to marital masters.

17 III. 2012, 66:8, relative to marital master contracts.

18 4 Effective Date. This act shall take effect upon its passage.

**HB 670 FISCAL NOTE**

AN ACT                    relative to marital masters.

**FISCAL IMPACT:**

The Judicial Branch states this bill, **as introduced**, may decrease state general fund expenditures by \$74,804 in FY 2014, \$153,599 in FY 2015, \$391,466 in FY 2016 and \$448,603 in FY 2017. There is no fiscal impact on county and local expenditures, or state, county and local revenue.

**METHODOLOGY:**

The Judicial Branch states this bill would repeal and reenact RSA 490-F:7, III and would repeal Chapter 272:3, Laws of 2011 and Chapter 66:8, Laws of 2012 to allow currently serving marital masters to remain in office. Under current statute and Chapter 272:3, Laws of 2011 and Chapter 66:8, Laws of 2012 the currently serving marital masters' positions end on the expiration of their current terms. There are six marital masters whose terms expire on the following dates: May 3, 2014; May 21, 2014 (two marital masters); October 15, 2015; and April 5, 2016 (two marital masters). The Branch will no longer assume marital master positions will be converted into full-time judge positions as the marital master terms end. As a result, payouts of \$217,987 in FY 2014 and \$189,702 in FY 2016 will no longer be made. The difference between a marital master salary and benefits to a judge is \$101,674. The Branch assumes the following savings by not converting marital master positions to judges: \$305,022 in FY 2015 (three times the \$101,674 difference), \$355,859 in FY 2016 (three and half times the \$101,674 difference) and \$610,044 in FY 2017 (six times the \$101,674 difference). For each marital master position, the Branch receives approximately 2.03% of the marital master salary or \$2,270 ( $\$111,826 * 2.03\%$ ) in federal reimbursement for time marital masters spend on child support cases (Title IV-D cases). The Branch states any potential savings will need to be offset by the federal reimbursement, which would have been lost if the marital master position had been converted. The Branch states the following federal reimbursements are \$6,810 in FY 2015, \$7,945 in FY 2016 and \$13,620 in FY 2017. RSA 490-D:9 requires all marital master orders need to be signed by a judge. The Branch has no calculation of judge time involved with reviewing and certifying marital master recommendations to determine the cost of this activity to determine the impact on the potential savings. The Branch estimates the savings, less any judge time to review and certify marital master recommendations, to be \$217,987 in FY 2014, \$298,212 in FY 2015, \$537,616 in FY 2016 and \$596,424 in FY 2017.

The Branch states the salary and benefit cost for a marital master position in Coos County is \$143,183 in FY 2014, \$144,613 in FY 2015, \$146,150 in FY 2016 and \$147,821 in FY 2017. The net savings of this bill are \$74,804 (\$217,987 - \$143,183) in FY 2014, \$153,599 (\$298,212 - \$144,613) in FY 2015, \$391,466 (\$537,616 - \$146,150) in FY 2016 and \$448,603 (\$596,424 - \$147,821) in FY 2017.