

SB 377-FN – AS INTRODUCED

2014 SESSION

14-2809  
06/03

SENATE BILL        **377-FN**

AN ACT            relative to transfers from the judicial branch to the executive or legislative branches of state government.

SPONSORS:        Sen. Soucy, Dist 18; Rep. K. Rogers, Merr 28

COMMITTEE:      Finance

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ANALYSIS

This bill permits employees of the judicial branch who transferred to state service in the executive branch or the legislative branch of state government to transfer certain benefits to the receiving branch.

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                   relative to transfers from the judicial branch to the executive or legislative  
                                  branches of state government.

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

1           1 Benefits of Nonjudicial Employees. Amend RSA 490:28, II to read as follows:

2           II. Any full-time judicial branch employee who [~~transfers~~] **transferred** from the judicial  
3 branch to state service in the executive branch or the legislative branch, without a break in service,  
4 may transfer all earned annual leave, sick leave, longevity pay, and bonus time already accumulated  
5 in the judicial branch, to the receiving branch of state government. The maximum amount of  
6 accumulated annual and sick leave that may be transferred shall be limited to the amount of annual  
7 and sick leave that employees of the receiving branch may accumulate, the rate of accrual shall be  
8 according to continuous years worked and, upon transfer, the employee's rate of accrual shall be the  
9 rate of accrual of the receiving branch. No leave granted at the outset of service, or without a  
10 relationship to the length of employment shall be included in earned leave.

11          2 Effective Date. This act shall take effect 60 days after its passage.

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**SB 377-FN - FISCAL NOTE**

AN ACT                   relative to transfers from the judicial branch to the executive or legislative branches of state government.

**FISCAL IMPACT:**

The Department of Administrative Services states this bill, **as introduced**, may increase state expenditures by an indeterminable amount in FY 2014 and each year thereafter. There is no impact on county and local expenditures, or state, county and local revenue.

**METHODOLOGY:**

The Department of Administrative Services states this bill permits employees of the Judicial Branch who have transferred to state service in the Executive or Legislative Branches of state government to transfer all earned annual leave, sick leave, longevity pay and bonus time already accumulated. The Department states this bill may have some impact on state expenditures since leave time has a monetary value upon termination and longevity payments are made on an annual basis. The Department states the “look back” with no date certain makes it impossible to determine how many employees might be impacted. The Department also notes some of the impacted employees may already have left state service. As a result, any increase on state expenditures cannot be determined.

The Legislative Branch states for employees that transfer with no break in service from the Judicial Branch to the Legislative Branch the practice has been to accept all earned annual leave, sick leave, longevity pay and bonus time accumulated in the Judicial Branch. The Branch also has accepted the rate of accrual according to continuous years worked to the limits set for legislative employees. Therefore the Branch does not anticipate a fiscal impact from this bill.

The Judicial Branch states this bill will have no fiscal impact on the Branch.