

GOVERNOR AND EXECUTIVE COUNCIL MINUTES  
State House, Concord, NH  
October 11, 2010, 4:00 p.m.

The Governor and Executive Council convened at 4:00 p.m with Councilor Shea, Councilor Hollingworth, and Councilor Wieczorek in person. Councilor Burton, and Councilor Pignatelli were present via telephone conference.

Governor Lynch read the following statement for Right to Know Compliance:

I would like to ask those councilors participating by telephone to identify themselves and identify anyone else who is physically present with them at the location from which they are participating.

Councilor Burton was participating by telephone from his car. He identified himself and indicated that he was sitting alone in his car in a parking lot. Councilor Pignatelli was participating by telephone from her home. She identified herself and indicated that she was sitting alone in her kitchen at home.

Second, to comply with the right to know law, I will explain why Councilor Burton's and Councilor Pignatelli's attendance in person was not reasonably practical. A special meeting of the Governor and Council to accept the petition of the removal of Peter Hildreth as Banking Commissioner was scheduled. Councilor Burton and Councilor Pignatelli could not physically appear on an expedited basis because of their prior commitments at locations away from the State House; and because the meeting had to be scheduled on very short notice.

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Shea and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, voted, pursuant to RSA 4:1, II, and RSA 383, to accept the petition for removal filed by Attorney Peter Krupp on behalf of the Governor and Council with respect to Commissioner Peter Hildreth together with notice of the Council's acceptance of same. The Governor concurred with the vote.

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Shea and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, voted to begin the hearing on Monday November 29, 2010 at 9:00 a.m. The Governor concurred with the vote.

The Governor suggested to the Council that the Attorney's for the Governor and Council meet with Attorney Nixon to establish time frames for pre-hearing motions and discovery, and asked that a report be submitted to the Governor and Council at their meeting on October 20, 2010.

A Scheduling Conference Report and Order was presented to the Governor and Council which establishes a procedural schedule for filings regarding the removal petition.

The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Wieczorek and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, voted to enter the procedural order allowing Attorney Peter Krupp and Attorney Meyers to decide pre-hearing matters.

The Governor read the following statement:

Now that the Council has voted to accept the removal petition and hold a hearing, it is important that all of us refrain from making public statements. We all have an obligation to listen to the evidence at the hearing and provide commissioner Hildreth with the opportunity to present his case.

On motion of Councilor Wieczorek, seconded by Councilor Shea,  
The Honorable Board then Adjourned at 4:15 p.m.