

ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

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JOSEPH A. FOSTER
ATTORNEY GENERAL



ANN M. RICE
DEPUTY ATTORNEY GENERAL

July 19, 2016

The Honorable Neal M. Kurk, Chairman
Fiscal Committee of the General Court
State House
Concord, NH 03301

Her Excellency Governor Margaret Wood Hassan
And the Honorable Council
State House
Concord, NH 03301

[Signature]
Approved by Fiscal Committee
Date 8/5/16

REQUESTED ACTION

Pursuant to RSA 7:12, authorize the Department of Justice (DOJ) to accept and expend a sum not to exceed \$1,352,300 from funds not otherwise appropriated for the purpose of covering projected shortfalls in general litigation expenses incurred in the defense of the State and the prosecution of criminal law effective with the approvals of the Fiscal Committee and the Governor and Executive Council through June 30, 2017. 100% General Funds

These funds are to be budgeted in account #02-20-20-200010-2601 entitled "Attorney General" as follows:

<u>Class/Expense</u>	<u>Class Title</u>	<u>Current Budget</u>	<u>Balance Forward</u>	<u>Available Balance</u>	<u>Projected Shortfall</u>	<u>Anticipated Expenditures</u>
233-500769	Litigation Expense	\$350,000	(\$56,891)	\$293,109	(\$1,352,300)	(\$1,645,409)

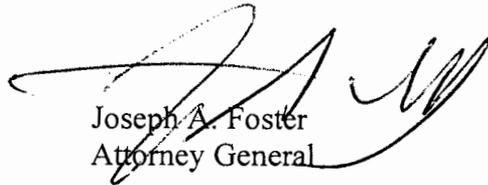
EXPLANATION

The DOJ was appropriated a sum of \$350,000 for general litigation expenses for Fiscal Year 2017. In addition, (\$56,891) was brought forward from Fiscal Year 2016. The Department estimates it will need approximately \$1,352,300 to cover on-going legal processes.

The Department will incur major litigation costs in the Criminal Bureau for cases that include *State v. Barnaby*, *State v. Miller* and *State v. Noyes*. The Department anticipates that it will incur estimated expenses of \$456,000 for various lab tests, crime scene evaluations and expert review for upcoming hearings. The Department expects to spend \$745,000 in the Civil Bureau for on-going outside counsel related to the State's Fair Labor Standard Act, payments to the Disability Rights Center, independent consulting services for DOJ civil case reviews and other civil matters. The Environmental Bureau is preparing for possible involvement needing outside expertise related to nuclear power plants estimated at approximately \$120,000. The Transportation and Charitable Bureaus' litigation costs are estimated to be approximately \$135,700.

Please let me know if you have any questions regarding this request. Your consideration is greatly appreciated.

Respectfully submitted,



Joseph A. Foster
Attorney General

JAF/

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