STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
JOHN H. LYNCH, GOVERNOR

EXECUTIVE ORDER 2008-5

An order directing a freeze of Executive Branch purchases

WHEREAS, RSA 9:16-b provides that "[n]otwithstanding any other provision of law, the governor may, with prior approval of the fiscal committee, order reductions in any or all expenditure classes within any or all departments, as defined in RSA 9:1, if he determines at any time during the fiscal year that: (a) Projected state revenues will be insufficient to maintain a balanced budget and that the likelihood of a serious deficit exists; or (b) The actual lapse for each fiscal year is not going to equal the level estimated in the forecast of funds, unappropriated surplus, as issued by the legislative budget assistant."

WHEREAS, the Governor has determined that the budgeted state revenues for Fiscal Year 2008 are insufficient to fund state budgeted expenditures as authorized by Chapter 262, N.H. Laws of 2007;

WHEREAS, the Governor and Legislature are committed to taking such steps as are required to achieve a balanced budget by the end of the biennium;

WHEREAS, pursuant to Executive Order 2008-2, the Governor ordered, among other things, that no general fund monies appropriated for Class 30 Equipment, for fiscal year 2008, shall be expended or encumbered except those encumbered by contract or purchase order on or before the date of this Executive Order;

WHEREAS, the Governor has met with the presiding officers of the House and Senate and has thus determined that it is in the public interest to meet with the legislative fiscal committee, which has, in turn, responded to the Governor's initiative by consenting to certain additional actions to further reduce expenditures for purchases in the executive branch;

NOW, THEREFORE, I, JOHN H. LYNCH, Governor of the State of New Hampshire, by virtue of the power and authority vested in me by RSA 9:16-b and part II, article 41 of the New Hampshire Constitution, do hereby order the following steps to apply to all departments as defined in RSA 9:1 in order to effect a reduction in expenditures:

a. No purchases shall be submitted or processed which require a standard requisition order form (P4) or an agency requisition form (P28), pursuant to Purchase and Property rules and procedures promulgated by the department of administrative services, if the purchases are funded in whole or in part with general funds, with the exception of purchases for food, drugs, fuel, medical supplies, or items necessary under emergency

conditions that are required for the continued operation of the department. The commissioner of the department of administrative services shall have the authority for determining whether there exists an emergency condition at any department that necessitates the purchase of items subject to this Executive Order. This order shall not apply to purchases encumbered by contract or purchase order on or before the date of this Executive Order.

b. The freeze on purchases directed by this Executive Order shall remain in effect until June 30, 2008 or until terminated, provided, however, that individual exceptions to any of the above provisions may be requested by any department in writing to the Governor. Any exceptions granted by the Governor shall be transmitted to the fiscal committee.

Given under my hand and seal at the Executive Chambers in Concord, this 29 day of April, in the year of our Lord, two thousand eight.

Governor of New Hampshire