



STATE OF NEW HAMPSHIRE

Executive Council

STATE HOUSE ROOM 207

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TO: All District Three Constituents
FROM: **Executive Councilor Janet Stevens**

DATE: March 6, 2023

FEBRUARY 22, 2023 EXECUTIVE COUNCIL MEETING

I had the honor of hosting the February 22, 2023, Executive Council Breakfast Meeting which was held at the New Hampshire State Library. I selected the New Hampshire Veterans Home as the presenting agency for the breakfast. The New Hampshire Veterans Home has been caring for soldiers since 1890.

The New Hampshire Veterans Home has the statutory capacity to care for 250 residents at the Tilton facility, yet due to staffing shortages for Licensed Nursing Assistants (LNA) and Registered Nurses, the census is currently limited to 129 residents. Commandant Kimberly MacKay and her staff have responded to the healthcare staffing shortage by launching an internal LNA program, sought approval for a Medicated Nursing Assistant Program and are committed to increasing provider recruitment and retention with the goal of expanding access to care for all New Hampshire veterans.

Commandant Kim MacKay and her staff - Arthoen Wolf, Director of Nursing and Resident Services; Barbara McCann, Director of Human Resources; Sarah Stanley, Public Information Officer; Savannah Paulhus, LNA and residents Norm Sanborn (WWII) and Barbara Warner (Vietnam) briefed the Executive Council on the resources available to residents.



At the formal Executive Council Meeting the 19-member Salem High School Advanced Chorus, which has performed at Disney World to one of the largest audiences of the year, sang the National Anthem, God Bless the USA and the Storm is Passing Over. This is the second time this talented group of artists - which includes ranked singers in the State Classical and Jazz All State program - have performed in the Executive Council Chamber.



For commendation, I nominated former Senate President and Chairman of the Pease Development Authority, William Bartlett of Kingston. After receiving his award Bartlett acknowledged his colleagues and employees. *"I'd like to thank all the people who worked for me over the years, and I don't get this done without you all. It's really been a pleasure over the years. Every time we had a problem – the people who are state employees stepped up and solved the problem."* Spoken like a leader.

Bill Bartlett's contributions to the residents of New Hampshire and his accomplishments in the public, private and non-profit sectors are unsurpassed. Bill was recruited by several New Hampshire Governors to lead several, struggling state agencies, and served as former President George H.W. Bush Presidential Envoy to oversee elections in El Salvador – he stepped up to serve our state and nation when needed most.

In his 40-year career, Bartlett served in the following roles – Kingston Selectman, New Hampshire State Senate President for two of four terms served, State Commissioner NH Department of Resources & Economic Development and Fish & Game, interim president of New Hampshire Community Technical College (Stratham), ten years as Chairman of the Pease Development Authority, Chairman of the Commission Long Term Viability of NH Retirement system, and Presidential Envoy.



Significant Issues

The Executive Council discussed whether the long-standing practice of at least one councilor to wait until the adjournment of an Executive Council meeting to record their vote with the Secretary of State on certain voice votes was permissible. The Attorney General advised the Executive Council and Governor that the practice of withholding certain votes "is not contrary to New Hampshire law".

However, as I discussed with the Attorney General, the Executive Council has the authority to stop this practice by modification of the Manual of Operating Procedures (MOP) – Section II, A. **As I stated at the February 22nd Executive Council meeting, "the remedy for requiring votes by Executive Council members be cast in "real time" is by amending the MOP, Section II-A."**

Currently, MOP Section II, A notes that *"If Councilors present at a meeting choose to remain silent or otherwise abstain from voting, their silence or abstention will be taken as acquiescence or concurrence in the action taken by the majority of votes cast"* citing *Opinion of the Justices, 98 N.H. 530, 532 (1953)*.

It does not address the question of whether a councilor waiting until the conclusion of the meeting to record their vote constitutes silence or an abstention, and whether that alternative form of voting is permissible.

I support an amendment to the MOP requiring Executive Councilors cast their votes in "real time" during meetings of the Executive Council and that written submissions of votes after the conclusion of a formal meeting be deemed inadmissible.

GOVERNOR'S OFFICE FOR EMERGENCY RELIEF AND RECOVERY

[#41](#) Authorized to amend a Fiscal Committee Item (originally approved by G&C on 2/16/22, Item #67A), to make program changes to the New Hampshire Homeowner Assistance Fund program, which helps mitigate financial hardships suffered by NH homeowners associated with the COVID-19 pandemic. No increase in funding is requested at this time. Effective upon G&C approval through June 30, 2023. **100% Federal Funds.** The Executive Council approved funding the \$40 million dollar Homeowner Assistance Program in February of 2022. Since that time, approximately \$5 million dollars to assist homeowners with mortgage loan reinstatement, property charges, utility/internet assistance have been awarded. With approximately \$35 million dollars remaining in the Homeowner Assistance Program fund and the June 30, 2023 deadline for obligation of funds (funds must be expended by September 30, 2025) - it was necessary to increase cumulative benefits from \$20,000 to \$40,000 per household. Funds for mortgage loan reinstatement and property charges would increase from \$20,000 to \$40,000 and utility/internet payment assistance would increase from \$3,000 to \$5,000.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

Richard J. Arguien, Manchester, NH, to the rank of Major, in the NH Army National Guard.
Captain Benjamin L. Johnson, Essex, VT, to the rank of Major, in the NH Air National Guard.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division of Finance and Procurement

[#11](#) Authorized to accept and expend additional Federal Revenue in the amount of \$51,508,288 to support anticipated costs of the increase in Medicaid caseload resulting from COVID-19 pandemic. (2) Further authorize the allocation of the funds as detailed in the letter dated January 23, 2023. Effective upon G&C approval through June 30, 2023. **100% Federal Funds. Contingent upon Fiscal Committee approval on February 17, 2023.** With the end of continuous enrollment in the State Medicaid program taking effect on April

1, 2023 - the Federal Matching Assistance Program funds will incrementally be reduced and phased out over the next nine months to year. The Federal Public Health Emergency is still active. The Medicaid wind down was the result of the Consolidated Appropriations Act.

DEPARTMENT OF TRANSPORTATION

[#31](#) Authorized the Bureau of Construction to enter into a contract with F.L. Merrill Construction, Inc., Loudon, NH, on the basis of a low bid of \$4,986,543, for rail trail improvements, part of the East Coast Greenway Trail. (2) Further authorize a contingency in the amount of \$747,981.45 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 25, 2024. **100% Federal Funds. This portion of the Greenway Project is on the former Hampton RR Branch. Project starts at Hampton/North Hampton line and extends 7.9 miles to Portsmouth.**

The work includes formalizing the trail by constructing a standard typical section, including width, cross slopes, and base materials with a consistent stone dust surface, and constructing improved drainage. Other work includes upgrades to ADA facilities, signage, pavement markings and flashing beacon at at-grade crossings, reconstructing stone box culvert conveying Pickering Brook, and management of invasive plants, railroad soils, and potential off site contamination from the nearby Coakley Landfill. This is the first of two construction projects along this rail trail corridor. The Hampton section is more involved and will be advertised separately later.

GOVERNOR'S OFFICE FOR EMERGENCY RELIEF AND RECOVERY

[#42](#) Authorized to finalize the grant agreements using signed terms and conditions and in the amounts indicated as detailed in the letter dated February 8, 2023 totaling \$141,868 from the approved accept and expend of \$3,000,000 in American Rescue Plan Act State Fiscal Recovery Funds previously approved on November 22, 2021, to grant funds to support the Local Restaurant Infrastructure Investment Funds Program designed to help address workforce issues and overall restaurant safety challenges experienced by small, locally-owned restaurants across the State. Effective upon G&C approval through June 30, 2023. **100% Federal Funds. Cork N' Keg (14,850.00), Elephantine Bakery (\$13,982), Me & Ollies (\$15,000.00) and Vino e Vino (\$7,700.00) received funds.**

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

[#53](#) Authorized the Division of the Arts to award a Public Value Partnership grant to **3S Artspace, Portsmouth, NH, in the amount of \$10,000** to strengthen their capacity for affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2023. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

[#68](#) Authorized to award a grant to the **Town of Exeter Public Works in an amount not to exceed \$172,000** for the rehabilitation of Exeter Reservoir Dam. Effective upon G&C approval through January 1, 2025. **100% Federal Funds.**

DEPARTMENT OF EDUCATION

[#80](#) Authorized the Bureau of Vocational Rehabilitation to enter into a **sole source** contract with **Big Brothers Big Sisters of New Hampshire, Stratham, NH**, in an amount not to exceed \$776,049, to provide Mentor 2.0, an evidence-based one-on-one mentoring program for students with disabilities. Effective upon G&C approval through June 30, 2025. **100% Federal Funds.**

DEPARTMENT OF SAFETY

[#89](#) Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the **Town of Derry, for a total amount of \$6,500** to create or update the community's Continuity

of Operations Plan. Effective upon G&C approval through August 31, 2024. **100% Federal Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

#108 Authorized to enter into a **retroactive** amendment to an existing contract with **Tri State Generators LLC, Brentwood, NH** (originally approved by G&C on 8/17/22, Item #82), for generator maintenance services, to add eight existing generators to the contract, with no change to the price limitation. Effective upon G&C approval for the period December 1, 2022 through August 31, 2025.

CONFIRMATIONS

Board of Licensing for Alcohol and Other Drug Use Professionals

(Master Licensed Alcohol and Drug Counselor)

Business Finance Authority, Board of Directors

Business Finance Authority, Board of Directors

Business Finance Authority, Board of Directors

Deputy Attorney General, Department of Justice

Fire Standards & Training Commission (Fire Prevention Society)

Fire Standards & Training Commission (N.H. Permanent Firemen's Association)

Higher Education Commission (Rep. Franklin Pierce University)

Justice, New Hampshire Circuit Court

Lakes Management Advisory Committee (Member of a Conservation Commission)

Lakes Management Advisory Committee (Representing Fishing Interests)

Midwifery Council (Public Member)

Oil Fund Disbursement Board (Public Member)

Rivers Management Advisory Committee (Rep. Conservationists)

Rivers Management Advisory Committee (Rep. Fish and Game Commission)

Rivers Management Advisory Committee (Rep. of a local river mngmt advisory committee)

State Radiation Advisory Committee (Dentistry)

State Radiation Advisory Committee (Physical Science)

State Veterans Council (Family member of a veteran or currently serving member of armed forces)

State Veterans Council (Veteran)

Régent Champigny, Hollis

Catherine A. Provencher, Merrimack

Daniel Henderson Jr., Hancock

Matthew Benson, Concord

James T. Boffetti, Litchfield

Jason A. Smedick, Goffstown

Robert Field, Manchester

Kim M. Mooney, Keene

Amy H. Manchester, Hudson

Steven Wingate, Mirror Lake

Richard D. Smith, Hancock

Martha L. Testerman, Chichester

Shane McKinney, Albany

Larry T. Spencer, Plymouth

Christopher K. Hodgdon, Contoocook

Cory Ritz, New Ipswich

Debra Ann Albrecht, Conway

James P. Tarzia, East Hampstead

Madeline Dreusicke, Pelham

Roger A. Seigny, Dover

NOMINATIONS

Air Resources Council (Manufacturing)

Advisory Council on Worker's Compensation (Representing Self-Funded Employers)

Fish and Game Commission (Coastal Commission Member)

Judicial Retirement Plan Board of Trustees (Business Experience)

Judicial Retirement Plan Board of Trustees (Business Experience)

New Hampshire State Council on the Arts

New Motor Vehicle Arbitration Board (Alternate - Knowledgeable in Auto Mechanics)

Barnstead

Public Water Access Advisory Board (Non-Power Boating)

Site Selection Committee (Nom. By Nature Conservancy)

Waste Management Council (Municipal Public Works Field)

David J. Cribbie, Belmont

Marian Mitchell, Hooksett

Jim Titone, i, Seabrook

Crystal A. Dionne, Candia

Deborah Butler, Concord

Catherine V. Sununu, Exeter

William R. Haynes, Jr., Center

Sheila Burke, Meredith

Charles N. DeCurtis, Bradford

Mark M. Gomez, Concord
