

Executive Council Meeting Report

-Meeting February 21, 2018

The Dudley Portrait and the State Liquor Commission

At my insistence, the Attorney General was asked to provide the Council with specific guidance as to which agency or agencies have authority to accept and display a portrait of New Hampshire's first woman Executive Councilor, Dudley Dudley. The portrait was commissioned with private funds and donated to the state. The Attorney General reported that a three-step process is required. First, the Governor must accept the portrait as a gift to the state. Governor Hassan accepted the portrait in 2016. Next, the Governor and Council must vote to "consent" to the portrait's display. Again, at my insistence, this vote will occur at our next meeting on March 7, 2018. Finally, once consent is granted, the director of the division of cultural affairs must decide the specific location in the state house to display the portrait.

On February 13, 2018, I provided the Attorney General and the Governor with a detailed account of concerns about the State Liquor Commission engaging in large cash sales that may skirt federal financial reporting laws and that may facilitate money laundering and the circumvention of tax laws of other states. The large cash transactions may also endanger state employees who are required to handle the cash without security. Councilor Kenney inquired about the status of my request that the matter be investigated and was informed by the Governor that it was referred to the Attorney General and not appropriate for further discussion. At the conclusion of our Council meeting and after I had left the state house, the Governor called for the Attorney General to investigate me based on my reporting of the concerns.

The issues with the State Liquor Commission are not new, nor are they partisan. Much of what I reported, was also detailed in a report by a special committee of the House which was chaired by Rep. Lynne Ober (R) at the request of former Speaker William O'Brien. The concerns I raised have now been widely reported. The first reporting was published by NHPR and may be found at: nhpr.org/post-councilor-says-nh-liquor-commission-aiding-cross-border-money-laundering-scheme#stream/0. A number of editorials have been written about my concerns and the Governor's call for my investigation. An example may be found here: Concordmonitor.com/Volinsky-was-doing-his-job-15860642.

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A. Council Breakfast of February 7th.

Councilor Prescott hosted our breakfast at the Department of Agriculture where the Council was presented with an overview of the Department's efforts to regulate the safety of our foods, ensure that weights and measures are accurate and help the state avoid invasive species. The Department is also responsible for assisting in the economic development of our state's agricultural markets. The Department works closely with other state and federal agencies to provide or facilitate a broad range of services that concern wetlands, the Cooperative Extension's education and training services, and disaster management.

B. Agenda Items of Note

Medical Transport Benefit

The Council voted to approve an increase of over \$2.5 million in the contract with Coordinated Transport Services, Inc. of Trumbull, CT to provide non-emergency transport services to the expanded Medicaid population and the traditional Medicaid population. The services are required under our Medicaid waiver and are funded primarily with federal funds.

Crisis Assistance for Low Income Persons Suffering from HIV

The Council approved receipt of a \$949,000 federal grant to help low income persons suffering from HIV who are facing crises related to their housing. The assistance may take the form of rental assistance or mortgage assistance. The item was the subject of heated discussion prompted by questions raised by Councilor Wheeler. Commissioner Meyers explained that the provision of financial assistance in a crisis provides a cost saving to the state over attempting to manage the medical needs of a person with HIV who is homeless. The item was approved, 4-1, with Councilor Wheeler dissenting.

School Infrastructure

The Council approved a variety of grants totaling \$3.6 million to improve the safety of school infrastructures (e.g., adding security cameras and vestibules). The grants are first approved by the Legislature's fiscal committee which is provided with details on each of the awards. The Department of Education and the Division of Homeland Security failed to provide the details of the grants to the Council until the very morning of the vote which undermines the ability of the Council to perform its watchdog function. This is the second time the Council was not provided with required information regarding these grants. The Council approved the grants in the wake of the Parkland school shootings, but I expressed concern about the manner in which the state agencies have proceeded.

Executive Council Harassment and Discrimination Policy

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The Council voted to adopt a policy prohibiting harassment or discrimination by Executive Councilors. The policy will become a part of the Manual of Procedures for the Council and will remain binding on the current and future Councils unless there is a majority vote to remove the policy.

C. Nominations and Confirmations

The following nominees were confirmed:

Assistant Commissioner, Department of Corrections
Benjamin R. Jean, Nottingham

Assistant Commissioner, Department of Transportation
William J. Cass, Laconia

Board of Home Inspectors
(Home Inspector) Jon T. Bossey, Tilton

Board of Managers of the New Hampshire Veterans Home
(Veterans of Foreign Wars) Paul J. Lloyd, Concord

Board of Veterinary Medicine
Kirk T. Smith, East Kingston

Compensation Appeals Board
(Employers/ Insurers) Mary Ann Ashcroft, Derry
(Employers/ Insurers) Brent T. Lemire, Litchfield
(Labor) Robert H. Morneau, Wolfeboro
(Employers/ Insurers) Constance J. Roy, Wolfeboro
(Labor) Dennis E. E. Adams, Deerfield

Current Use Advisory Board
(Representing assessing official from town with more than 5,000 population)
Andrea S. Lewy, Nottingham

New Hampshire State Council on the Arts
Sandhya Sridhar, Nashua

New Motor Vehicle Arbitration Board
(New Car Dealer) Peter R. Mans, Sunapee
(Rep. Consumers) Robert F. Hamel, Manchester
(Alternate-New Car Dealer of NH) John J. Platek, Manchester

Professional Standards Director, Department of Corrections
Ryan Andersen, Bath, Me

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State Board of Auctioneers
Robert P. Secord, Winchester

State Historical Resources Council
(Business) Richard W. Pease, Bedford

D. Spotlight

\$15 an Hour

At my request, the state's agencies began reporting the lowest rates of compensation paid by state vendors to their employees on the contracts in question. The following contractors were approved with the pay scales noted:

No new contractors reported.

E. Next Meeting

Our next regularly scheduled Executive Council meeting will occur on March 7, 2018, beginning at 10 a.m. in Council Chambers at the State House. The agenda for the meeting will be posted by the Secretary of State on the Executive Council web page late on the preceding Friday afternoon.

<http://sos.nh.gov/GC2.aspx>

Councilor Chris Pappas will host the Council breakfast which anyone may attend. It will be held at the New Hampshire Department of Health and Human Services, Thayer Building, beginning at 8:00 a.m.

H. Items of Interest to District Two, by Region

Region 1-Monadnock Region

None

Region 2-Merrimack County

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Bureau of Homeless and Housing Services

[#12](#) Authorize to enter into a sole source agreement with Merrimack Valley Assistance Program Inc., Concord, NH, to provide tenant-based, long-term, rental assistance; short-term rent, mortgage and utility assistance; permanent housing placement services; housing information services; supportive services; and project administrative services to low income persons living with Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome, and their families, in an amount not to exceed \$940,530. Effective March 1, 2018 through February 28, 2021. 100% Federal Funds. **Vote 4-1, Councilor Wheeler = No.**

Division of Behavioral Health

[#12B](#) Authorize the Bureau of Drug and Alcohol Services to enter into a retroactive sole source amendment with Granite Pathways, c/o Fedcap, Concord, NH (originally approved by G&C on 7-13-16, item #6C), to continue Regional Access Point Services that assist individuals with substance use disorders obtain the services, by increasing the price by \$100,000 from \$1,998,587 to \$2,098,587. Effective February 1, 2018 through the original end date of June 30, 2018. 80% Federal, 20% General Funds. **Unanimous.**

DEPARTMENT OF TRANSPORTATION

[#18](#) Authorize the Bureau of Planning and Community Assistance to enter into a contract with the Central NH Regional Planning Commission, Concord, NH, to undertake and update the Coordinated Public Transportation Plan for the Midstate Region, in the amount of \$21,300.30. Effective upon G&C approval through June 30, 2019. **100% Federal Funds. Unanimous.** 18

Region 3-Strafford County

DEPARTMENT OF ENVIRONMENTAL SERVICES

[#39](#) Authorize to award a sole source agreement to the Great Bay Stewards Inc., Greenland, NH, in the amount of \$18,040 to conduct outreach and training associated with living shoreline stabilization projects. Effective upon G&C approval through September 30, 2020. 100% Federal Funds. **Unanimous.**

[#43](#) Authorize to award a Cyanotoxin Monitoring Equipment and Training grant to the City of Rochester Water Department, Rochester, NH, in the amount of \$5,980 to purchase equipment to monitor for cyanobacteria at their public drinking water supply sources. Effective upon G&C approval through November 30, 2018. **100% Drinking Water SFR Repayment Funds. Unanimous.**

[#47](#) Authorize to award a **sole source** agreement to the University of NH, Durham, NH, to conduct outreach and training associated with living shoreline stabilization projects, in the amount of \$97,467. Effective upon G&C approval through September 30, 2020. **100% Federal Funds. Unanimous.**

[#50](#) Authorize to amend a **sole source** agreement with the University of NH, Sponsored Programs Administration, Durham, NH (originally approved by G&C on 10-26-16, item #67), for the “*Natural Resources Outreach Coalition – Setting SAIL*” project, by extending the completion date to March 31, 2019 from March 31, 2018, and by increasing the amount by \$17,866 to \$37,866 from \$20,000, and by revising the scope of work to include additional tasks. Effective upon G&C approval. **100% Federal Funds. Unanimous.**