GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
December 17, 2003 10:00 a.m.

The Governor and Executive Council convened at 10:00 a.m. with all members present

The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton accepted the minutes of December 3, 2003.

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Griffin confirmed the appointment of several persons nominated for Civil Commissions from the December 3, 2003 meeting.

The Governor placed in nomination the several persons who applied for Civil Commissions.

RESIGNATIONS

The Governor and Council, with Thanks and regret, accepted the following:

State Commission on the Status of Women

Shannon McGinley, Bedford	Effective: Upon Acceptance

CONFIRMATIONS

The Governor and Council confirmed the following:

Board of Licensing for Alcohol and Other Drug Abuse Professionals

Licensed Alcohol and Drug Counselor	Effective: December 17, 2003
Judith E. Cooper, Hollis	Term: January 28, 2007
(Replacing Mary Ryan Woods)	

Board of Licensing for Alcohol and Other Drug Abuse Professionals

Public Member	Effective: December 17, 2003
Bonnie R. Wrisley, Concord	Term: January 28, 2007
(Filling Vacancy)	

American & Canadian French Cultural Exchange Commission

Paul R. Boucher, Lebanon	Effective: December 17, 2003
(Filling Vacancy)	Term: July 17, 2009

American & Canadian French Cultural Exchange Commission

Lucie Therrien, Portsmouth	Effective: December 17, 2003
(Filling Vacancy)	Term: July 17, 2009

Business Finance Authority

Dick Anagnost, Manchester	Effective: December 17, 2003
(Replacing Louis Chagnon)	Term: November 3, 2005

Real Estate Appraiser Board

Real Estate Appraiser	Effective: December 17, 2003
Steven H. Berg, Portsmouth	Term: August 12, 2005
(Replacing Andrew G. LeMay)	

CONFIRMATIONS FAILED

The Governor and Council, with Councilor Burton, Councilor Spaulding and Councilor Griffin voting – **no**, voted to **deny** the following confirmation:

Health Services Planning and Review Board
Healthcare Consumer — Effective: Upon Confirmation
Eric MacDonald, Exeter — Term: April 19, 2006
(Replacing Elizabeth Crory)

NOMINATIONS

The Governor placed into nomination the following:

Joint Board of Architects
Architect 10 years experience, 5 years Current — Effective: Upon Confirmation
William B. Schoonmaker, Durham — Term: September 9, 2008
(Replacing Alvin Corzillus Jr.)

State Board of Auctioneers
Auctioneer — Effective: Upon Confirmation
Charles H. Clougherty, Claremont — Term: March 1, 2008
(Replacing Joseph Shanley)

State Conservation Committee
Grafton/Coos — Effective: Upon Confirmation
Calvin Perkins, Rumney — Term: August 1, 2007
(Filling Vacancy)

Current Use Advisory Board
Representing an assessing official from town with less than 5,000 population
Robert J. Berti, Rumney — Effective: Upon Confirmation
(Replacing Timothy Butterworth) — Term: December 23, 2005

Current Use Advisory Board
Representing an assessing official from town with more than 5,000 population
Normand R. Pelletier, Jr., Hudson — Effective: Upon Confirmation
(Reappointment) — Term: December 23, 2005

Health Services Planning and Review Board
Representing Association of Counties — Effective: Upon Confirmation
Christopher Boothby, Meredith — Term: 3 Years from confirmation
(New Position)

State Historical Records Advisory Board
Marcia Schmidt Blaine, Plymouth — Effective: Upon Confirmation
(Reappointment) — Term: January 2, 2007

State Historical Records Advisory Board
Richard E. Winslow III, Rye — Effective: Upon Confirmation
(Replacing Phillip Cronenwett) — Term: January 2, 2007

Occupational Therapy Governing Board
Certified Occupational Therapy Assistant — Effective: Upon Confirmation
Meredith Viano-Doiron, North Hampton — Term: March 4, 2007
(Reappointment)

Regional Community Technical Colleges Board of Trustees
Business and Industry — Effective: Upon Confirmation
Paul Holloway, Rye — Term: February 3, 2007
(Replacing Ronald F Borelli)

Regional Community Technical Colleges Board of Trustees
Business and Industry — Effective: Upon Confirmation
Daniel B. McLeod, Bow — Term: February 17, 2007
(Replacing Daniel Dagesse)

New Hampshire Superior Court
Chief Justice — Effective: Upon Confirmation
Robert J. Lynn, Windham — Term: Upon Age Limit of 70 yrs
(Filling Vacancy)

Transportation Appeals Board
Public Member — Effective: Upon Confirmation
George Cushman, Dunbarton — Term: April 23, 2006
(Reappointment)

BUSINESS FINANCE AUTHORITY

#1 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton and further on a roll call vote as follows: Councilor Burton – yes, Councilor Spaulding – yes, Councilor Griffin – absent, Councilor Wieczorek – yes, and Councilor Wheeler – **no**, authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan from Chittenden Bank to Allard Nazarian Group, Inc. dba Granite State Manufacturing in Manchester, New Hampshire. Action will Authorized a Resolution under RSA 162-I:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON DECEMBER 17, 2003 COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE

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At approximately 10:25 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Guaranteed Asset Program of the Business Finance Authority in connection with a loan to be made by Chittenden Bank to Allard Nazarian Group, Inc. dba Granite State Manufacturing and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Jack Donovan, Executive Director of the Authority who briefly explained the project and introduced Dave McAvoy of Allard Nazarian Group, Inc. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Wieczorek introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM CHITTENDEN BANK TO ALLARD NAZARIAN GROUP, INC." and moved its adoption, which was seconded by Councilor Burton. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, and Councilor Wieczorek; those abstaining were Councilor(s): None; and those voting against were: Councilor Wheeler. The Governor declared that the resolution was passed.

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A RESOLUTION UNDER RSA 162-A:18
AWARDING A STATE GUARANTEE UNDER RSA 162-A:13
WITH RESPECT TO A LOAN FROM
CHITTENDEN BANK TO ALLARD NAZARIAN GROUP, INC.

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to seventy-five percent (75%) of the principal amount of a loans up to $1,270,000 from Chittenden Bank to Allard Nazarian Group, Inc., pursuant to RSA 162-A:13 (the Guaranteed Asset Program or the "GAP Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed seventy-five percent (75%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

WHEREAS, further action by the Authority with respect to the proposed transaction is subject to the passage of this resolution and cannot be taken until after its passage;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and insure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to December 17, 2003.

#2 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton and further on a roll call vote as follows: Councilor Burton – yes, Councilor Spaulding – yes, Councilor Griffin – absent, Councilor Wieczorek – yes, and Councilor Wheeler – **no**, authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13-a with respect to a loan from Chittenden Bank to Allard Nazarian Group, Inc. dba Granite State Manufacturing in Manchester, New Hampshire. Action will Authorized a Resolution under RSA 162-I:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON DECEMBER 17, 2003 COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE

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At approximately 10:30 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Working Capital Line of Credit Guarantee Program of the Business Finance Authority in connection with a loan to be made by Chittenden Bank to Allard Nazarian Group, Inc. dba Granite State Manufacturing and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Jack Donovan, Executive Director of the Authority who briefly explained the project and introduced Dave McAvoy of Allard Nazarian Group, Inc. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Wieczorek introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13-a WITH RESPECT TO A LOAN FROM CHITTENDEN BANK TO ALLARD NAZARIAN GROUP, INC." and moved its adoption, which was seconded by Councilor Burton. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, and Councilor Wieczorek; those abstaining were Councilor(s): None; and those voting against were: Councilor Wheeler. The Governor declared that the resolution was passed.

A RESOLUTION UNDER RSA 162-A:18
AWARDING A STATE GUARANTEE UNDER RSA 162-A:13-a
WITH RESPECT TO A LOAN FROM
CHITTENDEN BANK TO ALLARD NAZARIAN GROUP, INC.

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to seventy-five percent (75%) of the principal amount of a loan up to $2,000,000 from Chittenden Bank to Allard Nazarian Group, Inc. pursuant to RSA 162-A:13-a (the Working Capital Loan Guarantee Program or the "WAG Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed seventy-five percent (75%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

WHEREAS, further action by the Authority with respect to the proposed transaction is subject to the passage of this resolution and cannot be taken until after its passage;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and to ensure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to December 17, 2003.

#3 NOT USED

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#4 Authorized to **retroactively** accept a grant in the amount of $75,000 from the US Department of Health and Human Services for Refugee Preventive Health Services. Effective July 1, 2003 to June 30, 2006.

#5 Authorized to enter into a memorandum of agreement with the NH Department of Environmental Services for the NH Estuaries Costal Scientist position at DES, for the purpose of carrying out activities under the provision of the NH Estuaries Project, in the amount of $60,000. Effective upon G&C approval through December 31, 2004. **100% Federal Funds.**

#6 Authorized to enter into a contract with the Manchester Health Department, Manchester, NH, to provide preventive health services to NH refugees, in an amount not to exceed $15,000. Effective **retroactive** to July 1, 2003 through June 30, 2004.

#7 Authorized to enter into a contract with the International Institute of Boston, Boston, MA, to provide preventive health services to NH refugees, in an amount not to exceed $30,000. Effective **retroactive** to July 1, 2003 through June 30, 2004.

#8 Authorized to enter into a contract with Lutheran Community Services, Concord, NH, to provide preventive health services to NH refugees, in an amount not to exceed $30,000. Effective **retroactive** to July 1, 2003 through June 30, 2004.

#9 Authorized to enter into an agreement with Strafford Regional Planning Commission, Dover, NH, to conduct watershed planning activities including public outreach and education, in the amount of $8,595. Effective upon G&C approval through December 31, 2004. **Federal Funds.**

#10 Authorized to enter into an agreement with the University of NH, Department of Microbiology, Office of Sponsored Research, Durham, NH, to undertake a study to determine the causative organism of lobster shell disease, in the amount of $15,000. Effective upon G&C approval to June 30, 2004. **Federal Funds.**

#11 Authorized to enter into a memorandum of agreement with the NH Department of Environmental Services, to support the program specialist staff position in the DES Shellfish Program during calendar year 2004, under the provisions of the NH Coastal Program, in the amount of $55,136. Effective January 1, 2004 to December 31, 2004. **Federal Funds.**

#12 Authorized to amend an existing agreement with the Rockingham Planning Commission, Exeter, NH, (previously approved by G&C on 6-25-03, item #8), to add two additional technical assistance tasks under the provision of the NH Coastal Program, by adding $11,020 to the original amount of $36,690 for a new total of $47,710. **Federal Funds.**

#13 Authorized to amend an existing agreement with the Rockingham Planning Commission, Exeter, NH, (previously approved by G&C on 2-19-03, item #6), to conduct an additional non-point source pollution workshop, by providing additional funds in the amount of $2,500 to the original amount of $11,670 for a new total of $14,170 and extending the date from December 31, 2003 to June 30, 2004. **Federal Funds.**

#14 Authorized to amend an existing agreement with the Society for the Protection of the NH Forests, Concord, NH, (previously approved by G&C on 5-15-02, item #9), by modifying work tasks of the agreement, extending the end date from December 31, 2003 to June 30, 2004 and adding $20,000 to the original amount of $68,700 for a new total of $88,700 for the continuation of the Coastal Watershed Land Protection Transaction Funds and will protect critical shoreline areas from development and improve water quality. **Federal Funds.**

#15 Authorized to enter into an agreement with the Town of Hampton Conservation Commission, Hampton, NH, to protect water quality by improving land protection of an ecologically significant wetland adjacent to the Taylor River, in the amount of $12,196. Effective upon G&C approval to December 31, 2004. **Federal Funds.**

#16 Authorized to enter into an agreement with the Rockingham Planning Commission, Exeter, NH, to implement the NH Estuaries Project's Management Plan Action Items that address land use issues impairing water quality, in the amount of $8,810. Effective upon G&C approval to December 31, 2004. **Federal Funds.**

NH COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#17 Authorized an amendment to an existing agreement with the Town of Newport, NH, (previously approved by G&C on 6-26-02, item #15), to help municipalities solve development problems, by increasing in the amount of $150,000 for an agreement total of $1,000,000.

#18 Authorized to enter into an agreement with the Town of Lisbon, NH, under the Community Development Block Grant Program for the purpose of assisting Affordable Housing, Education and Development Inc. in the development of "The Lisbon Riverfront Renewal" project, in the amount of $350,000. Effective upon G&C approval through June 30, 2005.

#19 Authorized to enter into an agreement with the County of Cheshire, Concord, NH, under the Community Development Block Grant Program for the purpose of assisting the expansion of a private company, in the amount of $260,000. Effective upon G&C approval through June 30, 2005.

#20 Authorized to enter into an agreement with the City of Claremont, NH, under the Community Development Block Grant Program for the purpose of assisting the expansion of a private company, in the amount of $500,000. Effective upon G&C approval through December 31, 2005.

#20A Authorized to amend an existing agreement with Rockingham County, Brentwood, NH, (previously approved by G&C on 9-4-02, item #7), under the Community Development Block Grant Program to assist Port City Air Repair, Inc. with the purchase of machinery and equipment, to extend the time period to complete the project from December 31, 2003 to December 31, 2004.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#21 Authorized Douglas M Aiken, Moultonborough, NH, be nominated for promotion to the rank of Colonel, NH Air National Guard. This office meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified. This is a position vacancy promotion.

#22 Authorized Angela E Maxner, Concord, NH, be confirmed to the rank of Lieutenant Colonel, NH Army National Guard.

#23 Authorized to accept material donations in the amount of $4,757 for the NH State Veterans Cemetery to be used for the betterment of the cemetery as detailed in letter dated December 2, 2003.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#24 Authorized the Commission on the Status of Men to budget and expend donated funds in the amount of $320 for the furtherance of the duties of the Commission. Effective upon G&C approval through June 30, 2004. **100% Other Funds.**

#25 Authorized the Report and Findings of Councilor David K. Wheeler with regard to a certain proposal for the refinancing of certain existing indebtedness and the financing of certain normal capital expenditures project in connection with Saint Anselm College, Goffstown, NH.

#26 Authorized Working Capital Warrant in the amount of $350,000,000 to cover expenditures for the month of January 2004. (2)Further Authorized Working Capital Warrant reporting expenditures of $230,139,634.39 for the month of November and recommends the balance of $139,860,365.61 be lapsed.

#27 Authorized Bureau of Court Facilities, to enter into a contract with D.F. White Excavators, Inc., for snow and ice removal services at the Coos County Courthouse in the amount of $16,000. Effective upon G&C approval through April 30, 2006.

#28 Authorized Bureau of Court Facilities to enter into a contract with R.M. Piper, Inc., for snow and ice removal services at the Plymouth District Court in the amount of $12,600. Effective upon G&C approval through April 30, 2006.

#29 Authorized Bureau of Court Facilities to enter into a contract with Hatcher Landscaping, Inc., for snow and ice removal services at the Concord District Court in the amount of $19,165. Effective upon G&C approval through April 30, 2006.

#30 Authorized to amend a current contract with Walchak's Lawn & Home Care, Inc., Bow, NH, for additional snow and ice removal services at the new Department of Safety Motor Vehicle Testing & Licensing Facility, increasing the contract amount by $8,000 from $175,425 to $183,425. Effective upon G&C approval through November 11, 2004.

#31 Authorized to enter into a statewide contract with ChemWare, Inc., Raleigh, NC, for a statewide Laboratory Information Management System including software licensing, maintenance, support, training, and installation services, for a total aggregate amount not to exceed $500,000. Effective upon G&C approval through June 30, 2005, with options to extend in annual increments at the discretion of the State through June 30, 2010.

#31A Authorized a list of agency transfers Authorized for Fiscal Year 2004 during the month of November, as detailed in letter dated December 3, 2003.

#31B Authorized to accept one Christmas tree to be placed at the State House. Nigel Manley from Rocks Christmas Tree Farm, Bethlehem, NH is providing a 10-foot balsam fir.

#31C Authorized to accept one Christmas tree to be placed at the State Library in Concord, NH. Myles, Carol-Ann and Miles Finnegan from Finnegan's Fine Firs of Bethlehem, NH are providing an 8-foot white pine tree.

TREASURY DEPARTMENT

#32 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Griffin authorized the Comptroller to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of $33,377.08 to the rightful owners of abandoned or unclaimed funds.

NH DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

#33 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Griffin authorized to enter into an agreement with George Deenihan, West Springfield, MA, to provide year-round custodial and general maintenance work at the Eastern States Exposition NH Building, West Springfield, MA, in the amount of $5,200. Effective upon G&C approval to October 31, 2004. **100% Other Funds.**

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#34 Authorized to budget and expend carry forward funds in the amount of $1,454.89 from FY 2003. (2)Further Authorized to accept and expend funds totaling $1,045.11 that are anticipated to be earned through donations and fees received through June 30, 2005. **100% Other Funds.**

#35 Authorized Division of Libraries, to award Conservation License Plate Grants totaling $64,441 to the organizations as detailed in letter dated November 25, 2003. **100% Other Funds.**

#36 Authorized Division of Arts to commission the artists as detailed in letter dated November 21, 2003, to create various works of art for the new Dover District Court House. **100% General Funds.**

ATTORNEY GENERAL

The Governor and Council acted as follows:

#37 **DENIED** – The Governor and Council on motion of Councilor Griffin, seconded by Councilor Spaulding voted to **deny** the petition of Theresa (Terri) Murphy requesting a pardon hearing for the office of Driving After Certification As Habitual Offender. Ms. Murphy is not eligible for an annulment.

#38 Authorized to **retroactively** reappoint Christopher D. Helms as an Assistant Attorney General for a five year term for the period effective July 31, 2003 through July 31, 2008.

#39 Authorized to accept and expend a grant in the amount of $1,028,000 from the US Department of Justice, Violence Against Women Office, which is targeted specifically at deterring crimes involving violence against women and aiding the victims of those crimes in NH. (2)Further Authorized to enter into sub-grants totaling $604,579 with the agencies as detailed in letter dated December 3, 2003, to enable them to provide protection of victims of those crimes in NH. Effective upon G&C approval through March 31, 2005. **100% Federal Funds.**

#40 Authorized to enter into a series of sub-grants, as detailed in letter dated December 3, 2003, totaling $453,847, targeted at deterring crimes involving violence against women and aiding the victims of those crimes. Effective upon G&C approval through December 31, 2004. (2)Further Authorized to amend G&C items #45 approved on December 18, 2002, by extending the termination date of the sub-grant award so that the courts may complete their research evaluation of current sentencing practices and criminal case processing from the current end date of December 31, 2003 to a new date of March 31, 2004. **100% Federal Funds.**

#41 Authorized to enter into sub-grants, as detailed in letter dated December 4, 2003, totaling $127,203 from the FY 2003 Byrne Formula Grant Program, to be utilized to continue youth mentoring programs. Effective January 1, 2004 to September 30, 2006. (2)Further Authorized to enter into a sub-grant totaling $18,204 from the FY 2002 Byrne Formula Grant Program, to be utilized to continue a youth mentoring program. Effective January 1, 2004 to September 30, 2005. **100% Federal Funds.**

EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#42 Authorized to continue one Supervisor, BAU, Position # 8T055, salary grade 24 on a full time temporary basis for an additional period of one year. Effective January 6, 2004 through January 6, 2005. **Federal Funds.**

#43 Authorized to enter into an amended **sole source** service agreement with Bates Services for building renovation services at NHES's offices statewide, for the first year increasing the agreement in the amount of $15,000 by $7,500 to the revised total of $22,500 annually only for the current annual period effective upon G&C approval and ending June 30, 2004, this increases the total current agreement price limitation in the amount of $45,000 by $7,500 to the revised total agreement price limitation of $52,500 for the three year period which began upon G&C approval of item #36 on July 16, 2003 through June 30, 2006. **100% Federal Funds.**

DEPARTMENT OF LABOR

#44 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Griffin authorized to renew its lease agreement with Concord Business Center/Liberty/Lighthouse Trust, Concord, NH for the rental of 2,700 square feet of storage space, Concord, NH, for an annual cost of $23,160 including utilities and janitorial services. Effective January 1, 2004 through December 31, 2004, with three additional one year renewal options beginning January 1, 2005 through December 31, 2007. **100% Other Funds.**

INSURANCE DEPARTMENT

#45 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Griffin authorized to extend a **sole source** contract with INS Regulatory Insurance Services Inc. of Philadelphia, PA, (previously approved by G&C on 6-25-03, item #51A), for the provision of consulting services, by extending the completion date from December 31, 2003 to June 30, 2004. **No Cost.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#46 Authorized Division of Forests and Lands, to **retroactively** extend the end date of a grant for Unmet Needs through the NH Office of Emergency Management, (previously approved by G&C on 4-11-01, item, #8), from June 30, 2003 to December 31, 2003. **100% Federal Funds.**

#47 Authorized Division of Forests and Lands to accept an allotment of Federal Funds of $12,000 in US Fish and Wildlife Service Endangered and Threatened Plant Species funds for the period ending April 30, 2004. (2)Further Authorized to enter into an agreement with The Nature Conservancy to initiate recovery actions for Jesup's milk-vetch, small whorled pogonia and Northern blazing star for a total of $10,654.67. Effective upon G&C approval to April 30, 2004. **Federal Funds.**

#48 Authorized Division of Forests and Lands to enter into a contract with M.H. Beecy Appraisal Services, Manchester, NH, to complete certain appraisal reports for the "Pillsbury-Sunapee" Forest Legacy land protection project, in an amount not to exceed $13,000. **100% Federal Funds.**

#49 Authorized Division of Parks and Recreation to enter into a service agreement with Riendeau Industrial Services, Berlin, NH, for septic pumping and disposal service at Mt. Washington State Park, total contract not to exceed $30,162. Effective upon G&C approval through June 30, 2005. **100% Other.**

#50 Authorized Division of Parks and Recreation Bureau of Trails to accept and expend funds resulting from the Roads Maintenance agreement, as detailed in letter dated December 1, 2003, that was part of the Easement Agreement entered into with Lyme Timber Co., on October 9, 2003 as Authorized by chapter 148, Laws of 2002.

#51 Authorized Trails Bureau to enter into a Grant-in-Aid Trail Maintenance Contract with the Pittsburg Ridge Runners Snowmobile Club, Pittsburg, NH, in the amount of $4,496.56. Effective upon G&C approval through January 1, 2004.

#52 Authorized Division of Parks and Recreation to enter into a **retroactive** agreement, as detailed in letter dated November 13, 2003, for sublease with Pinnacle Towers, Inc., Sarasota, FL, to operate from the Summit of Mt. Washington for an annual fee of $123,600. Effective July 1, 2002 through June 30, 2005.

NH FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#53 Authorized to accept donations of educational supplies, materials and other items to support specific programs donated by the Great Bay Stewards as detailed in letter dated November 21, 2003. The total for these donations is $9,095.57.

#54 Authorized to accept and expend an additional $18,500 in federal funds from the US Fish and Wildlife Service for use in Wildlife Conservation Education Programs. Effective upon G&C approval through June 30, 2004. (2)Further Authorized to enter into a **sole source** contract with Audubon Society of NH, Concord, NH, for the continuation of an urban wildlife education outreach effort from Amoskeag Fishways, for a total of $12,500. Effective upon G&C approval through June 30, 2005.

#55 Authorized to accept and expend an additional $10,938 in Federal Funds from the Wildlife Conservation and Restoration Program and the State Wildlife Grants Program. (2)Further Authorized to enter into a contract with George W. Gavutis, Jr., Kensington, NH, to conduct non-game bird surveys and associated general wildlife surveys on two Wildlife Management Areas, as part of a program to monitor the response of wildlife to habitat enhancement operations, for a total of $17,500. Effective upon G&C approval through December 31, 2005. **100% Federal.**

#56-#57 NOT USED

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#58 Authorized the Oil Fund Disbursement Board to accept and expend funds in the amount of $3,500,000. Effective upon G&C approval through June 30, 2004.

#59 Authorized to enter into a **sole source** agreement with Susan Foote, Seabrook, NH, for the Restoration and Implementation Plan for Hampton/Seabrook Harbor, in the amount of $4,220. Effective upon G&C approval through December 31, 2005. **100% Federal Funds.**

#60 Authorized to enter into a memorandum of agreement with the University of NH, establishing the loan to UNH by DES of a compressed natural gas modular refueling unit to, fill a temporary fueling need while UNH completes construction of a full function CNG refueling station. Effective upon G&C approval through December 31, 2005.

#61 Authorized to enter into a grant agreement with the Town of Seabrook Department of Public Works, Seabrook, NH, for storm drainage system mapping, in the amount of $19,200. Effective upon G&C approval through December 31, 2004. **100% Federal Funds.**

#62 Authorized Water Division to enter into a $52,500 **retroactive, sole source** agreement with Horizon Solutions Corp., Portland, ME, for a service agreement for industrial motor starters and speed controllers. Effective until June 30, 2008. **100% Other.**

#63 Authorized to amend a Local Source Water Protection grant award to the City of Dover Conservation Commission, Dover, NH, (previously approved by G&C on 4-11-01, item #59), by extending the completion date to September 30, 2004 from December 31, 2003. (2)Further Authorized to amend a Public Water System Emergency Interconnection grant award to the Nashua Regional Planning Commission, Nashua, NH, (previously approved by G&C on 3-19-03, item #75), by extending the completion date to December 31, 2004 from February 28, 2004.

#64 Authorized to amend a grant agreement with the University of NH, Durham, NH, (previously approved by G&C on 5-9-01, item #95, amended on 12-18-02, item #88), for monitoring work in the City of Dover for potential pollution sources related to stormwater, by extending the completion date to December 31, 2004 from December 31, 2003. **100% Federal Funds.**

#65 Authorized to amend a grant agreement with the Town of Plaistow, NH, (previously approved by G&C on 5-23-01, item #59, amended on 12-4-02, item #65), for improving the water quality of Little River by better controlling stormwater runoff, by extending the completion date to December 31, 2004 from December 31, 2003. **100% Federal Funds.**

#66 Authorized to amend a grant agreement with the Town of Stratham, NH, (previously approved by G&C on 7-25-01, item #79, amended on 12-18-02, item #78), to improve water quality and aquatic habitat of Mill Pond, by increasing the grant amount by $7,200, brining the total amount from $59,320 to $66,520. **100% Federal Funds.**

#67 Authorized to amend an existing contract with US Filter Operating Services, Inc., Houston, TX, (previously amended by G&C on 12-18-02, item #81), to provide continued maintenance of, and emergency response activities at, the Gilson Rd Superfund Hazardous Waste Site in Nashua, NH, by extending the expiration date from December 31, 2003 to December 31, 2004.

#68 Authorized to amend a **sole source** contract with US Filter Operating Services, Inc., Dallas, TX, (previously approved by G&C on 12-18-02, item #L), for funding the groundwater treatment operations, by extending from December 31, 2003 to December 31, 2004 and increasing the amount by $871,945.89 from $1,319,032.69 to $2,190,978.58. Effective upon G&C approval. **90% Federal, 10% State.**

#69 Authorized to amend a **sole source** contract with Woodard & Curran Environmental Services, Inc., Portland, ME, (previously approved by G&C on 8-13-03, item #88), for funding the groundwater treatment operations, by increasing the amount by $399,634 from $2,569,128 to $2,968,762. Effective upon G&C approval. **90% Federal, 10% State.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#70 Authorized to enter into a contract with the Melanson Company Inc., for roof repair services at the Lakes Region Facility in Laconia, NH, in the amount of $23,930. Effective upon G&C approval through May 1, 2004. **100% General Funds.**

#71 Authorized to accept and place on file the Annual Report for the Fiscal Year ending June 30, 2003.

NH BOARD OF DENTAL EXAMINERS

#72 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Griffin authorized to expend examination fees collected as detailed in letter dated November 21, 2003.

NH BOARD OF ACCOUNTANCY

#73 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Griffin authorized to amend a lease with Hodges Development Corporation, Concord, NH, providing a short-term "hold over" agreement for up to four months, by extending the lease from December 31, 2003 for up to four months, expiring no later than April 30, 2004.

NH BOARD OF MEDICINE

#74 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Griffin authorized to enter into a contract with Kang Company Inc., Concord, NH, for janitorial services. Effective January 1, 2004 through December 31, 2005. Funds are as detailed in letter dated November 24, 2003.

DEVELOPMENTAL DISABILITIES COUNCIL

#75 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Griffin authorized to enter into a **sole source** agreement with Community Bridges, Inc., Bow, NH, acting as the financial agent for Future Planning Network of NH, as detailed in letter dated September 22, 2003, in the amount of $30,000. Effective upon G&C approval through August 31, 2004. **100% Federal.**

#76-#77 NOT USED

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

#78 Authorized the Office of Community and Public Health to reclassify position #40627 from Supervisor II, salary grade 21, to Statistical Assistant, salary grade 14. This position is currently vacant. **100% Federal.**

Division for Children, Youth & Families

#79 Authorized to **retroactively** award nine grants totaling $106,207.50 for the provision of Title I Programs, to the agencies as detailed in letter dated November 19, 2003. Effective September 1, 2003 to August 31, 2004. **100% Federal.**

Division of Alcohol & Drug Abuse Prevention and Recovery

#80 Authorized to amend an existing **sole source** agreement with the NH Alcoholism and Drug Abuse Counselors Association, Manchester, NH, (previously approved by G&C on 6-25-03, item #321), to expand substance abuse prevention and treatment training, by increasing the price limitation by $50,000 from $140,000 to $190,000 and by extending the contract completion date by one year from June 30, 2004 to June 30, 2005. Effective upon G&C approval. **100% General.**

Office of Community & Public Health

#81 Authorized Bureau of Maternal and Child Health to enter into an agreement with Maureen E McCanty, MD, Concord, NH, to serve as Obstetrics/Gynecology Medical Advisor for the Bureau of Maternal and Child Health, totaling $4,000. Effective upon G&C approval through June 30, 2005. **100% Federal.**

#82 Authorized Bureau of Environmental and Occupational Health to enter into an agreement with The Way Home, Inc., Manchester, NH, to provide support for the Healthy Homes Initiative, totaling $8,000. Effective upon G&C approval through September 30, 2004. **100% Federal.**

#83 Authorized Bureau of Rural Health and Primary Care to enter into a **sole source** agreement with Weeks Medical Center, Lancaster, NH, for the Small Hospital Improvement Program, totaling $19,258. Effective upon G&C approval through June 30, 2004. **100% Federal Funds.**

#84 Authorized Bureau of Rural Health and Primary Care to enter into a **sole source** agreement with Upper Connecticut Valley Hospital Association, Colebrook, NH, for the Small Hospital Improvement Program, totaling $19,258. Effective upon G&C approval through June 30, 2004. **100% Federal Funds.**

#85 Authorized Bureau of Rural Health and Primary Care to enter into a **sole source** agreement with The New London Hospital Association, New London, NH, for the Small Hospital Improvement Program, totaling $19,258. Effective upon G&C approval through June 30, 2004. **100% Federal Funds.**

#86 Authorized Bureau of Rural Health and Primary Care to enter into a **sole source** agreement with Huggins Hospital, Wolfeboro, NH, for the Small Hospital Improvement Program, totaling $19,258. Effective upon G&C approval through June 30, 2004. **100% Federal Funds.**

#87 Authorized Bureau of Rural Health and Primary Care to enter into a **sole source** agreement with Valley Regional Hospital, Claremont, NH, for the Small Hospital Improvement Program, totaling $19,258. Effective upon G&C approval through June 30, 2004. **100% Federal Funds.**

#88 Authorized Bureau of Rural Health and Primary Care to enter into a **sole source** agreement with Speare Memorial Hospital, Plymouth, NH, for the Small Hospital Improvement Program, totaling $19,258. Effective upon G&C approval through June 30, 2004. **100% Federal Funds.**

#89 Authorized Bureau of Rural Health and Primary Care to enter into a **sole source** agreement with Cottage Hospital, Woodsville, NH, for the Small Hospital Improvement Program, totaling $19,258. Effective upon G&C approval through June 30, 2004. **100% Federal Funds.**

#90 Authorized Bureau of Rural Health and Primary Care to enter into a **sole source** agreement with The Monadnock Community Hospital, Peterborough, NH, for the Small Hospital Improvement Program, totaling $19,258. Effective upon G&C approval through June 30, 2004. **100% Federal Funds.**

#91 Authorized Bureau of Rural Health and Primary Care to enter into a **sole source** agreement with LRGHealthcare, Laconia, NH, for the Small Hospital Improvement Program, totaling $19,258. Effective upon G&C approval through June 30, 2004. **100% Federal Funds.**

New Hampshire Hospital

#92 Authorized to compensate Eric Calley, a Mental Health Worker in the Patient Care Services area, for time lost while recovering from a work-related injury in accordance with Compensation for State Employees Injured in Line of Duty.

#93 Authorized to compensate Elizabeth Duncan, a Mental Health Worker in the Patient Care Services area, for time lost while recovering from a work-related injury in accordance with Compensation for State Employees Injured in Line of Duty.

#94 Authorized to compensate Jennica Himes, a Mental Health Worker in the Patient Care Services area, for time lost while recovering from a work-related injury in accordance with Compensation for State Employees Injured in Line of Duty.

#95 Authorized to compensate Melanie Roy, a Mental Health Worker in the Patient Care Services area, for time lost while recovering from a work-related injury in accordance with Compensation for State Employees Injured in Line of Duty.

#96 Authorized to compensate Erich LeBlanc, a Mental Health Worker in the Patient Care Services area, for time lost while recovering from a work-related injury in accordance with Compensation for State Employees Injured in Line of Duty.

#97 **TABLED** – The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Wheeler, voted to **table** the request to amend the Consultants List (previously approved by G&C on 6-25-03, item #263, amended on 9-17-03, item #94), by adding Kenneth Braiterman, Penacook, NH at the rate of $50 per hour, Daniel Bailey, Contoocook, NH, at the rate of $50 per hour and Jennifer A Edgerly, Methuen, MA, at the rate of $40 per hour. Effective upon G&C approval through June 30, 2005.

#98 Authorized to accept the non-monetary donations as detailed in letter dated November 3, 2003.

#99 NOT USED

NH COMMUNITY TECHNICAL COLLEGE SYSTEM

The Governor and Council acted as follows:

#100 Authorized to establish the salary for Keith Lohmann, Director of the Police Standards and Training Council at Group GG, step 3. Effective upon G&C approval. **100% Other Funds.**

#101 NOT USED

#102 Authorized to enter into a contract with Crown Linen Services, Nashua, NH, for the purpose of laundry/linen services for dental students, in an amount not to exceed $6,000 per fiscal year. Effective upon G&C approval through June 30, 2005. **36% General, 64% Other Funds.**

POLICE STANDARDS & TRAINING COUNCIL

#103 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Griffin authorized to accept and expend grant funds from the NH Highway Safety Agency, in the amount of $39,060 for a grant entitled Traffic Crash Advanced Training. Effective upon G&C approval through June 30, 2004. (2)Further Authorized to enter into a service agreement with the Institute of Police Technology and Management of the University of North Florida to teach three specialized in-services classes during FY 04 to police officers at the facility in Concord, in the amount of $11,500 for each of the first two courses and $12,000 for the third course for a contract limitation of $35,000. **100% Other Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#104 Authorized to reallocate funds titled "Enforcement Patrols", (previously approved by G&C on 12-18-02, item #137), as detailed in letter dated November 24, 2003. **100% Federal.**

#105 Authorized to reallocate funds titled "State Police DWI Patrols", (previously approved by G&C on 12-18-02, item #136), as detailed in letter dated November 24, 2003. **100% Federal.**

#106 Authorized to accept and expend a $22,940.75 grant titled "State Police DWI Patrols" from the NH Highway Safety Agency. Effective upon G&C approval through September 15, 2004. **100% Federal.**

#107 Authorized Bureau of Emergency Management to enter into a grant agreement with the Town of Raymond for costs associated with the execution of a functional exercise on November 4, 2003, in the amount of $4,000. **100% Federal.**

#108 Authorized Division of Fire Safety and Emergency Management to amend the grant entitled DR1199 Unmet Needs, (previously approved by G&C on 6-8-00, item #9, amended on 7-25-01, item #A, amended on 5-21-03, item #115), as detailed in letter dated November 24, 2003. (2)Further Authorized to enter into grant agreements with each of the 19 NH communities as detailed in letter dated November 24, 2003, to provide each community with financial assistance for the purchase of an emergency generator to power critical facilities. Effective upon G&C approval through March 31, 2004.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#109 Authorized to accept and place on file the Bureau of Right of Way's Contemplated Award List for the period November 11, 2003 through November 21, 2003.

#110 Authorized Bureau of Right of Way to quitclaim a portion of the Old NH route 1-B to W.W. Resort, LLC, W.W. Resort LLC has relocated a section of NH Route 1-B behind the Wentworth Hotel as part of a community enhancement project and offered the State a Quitclaim Deed for the improved section of roadway. For this reason the Department does not need any title to the old layout of NH Route 1-B.

#111 Authorized Bureau of Rail & Transit to accept and expend grant funds from the US Department of Transportation, Federal Transit Administration, to evaluate the feasibility of constructing a multi-modal transportation center in the Town of Ossipee, in the amount of $158,400. (2)Further Authorized to enter into an agreement with the Lakes Region Planning Commission, Meredith, NH, for the purpose of evaluating the feasibility of constructing a multi-modal transportation center in the Town of Ossipee, for an amount not to exceed $198,000.

#112 Authorized Bureau of Highway Design to enter into an agreement with Wilbur Smith Associates, Portland, ME, and New Haven, CT, for engineering services for NH Route 3A in the City of Manchester and Towns of Hooksett and Bow, for a total fee not to exceed $490,564.88. Effective upon G&C approval through twenty-four months from the date of Notice to Proceed.

#113 Authorized Bureau of Construction contract with New England Signal Systems Inc., Northwood, NH, on the basis of a low bid of $258,965, for five traffic signals on NH Route 33 in Portsmouth beginning at the intersection of NH Route 33 with Greenland Rd and proceeding easterly to the intersection of NH Route 33 with Borthwick Ave, which includes replacing signal hardware, signal software and incidental sign work and a previous obligation to plant trees along US 1 and the Christ Episcopal Church in Portsmouth. Effective upon G&C approval through June 4, 2004.

#114 Authorized Bureau of Construction contract with R.S. Audley, Inc., on the basis of a low bid of $7,458,727.47, which consists of reconstruction and widening of US 3 beginning north of the US 3 and Kilton Rd/Bedford Mall intersection and runs southerly along US 3, to just south of the NH 101 WB off ramp/Macy's intersection, as detailed in letter dated November 5, 2003. Effective upon G&C approval through June 30, 2006.

#115 **TUITION REQUESTS**

The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton, with Councilor Wheeler voting – **no to all,** authorized the requests:

A. **ADMINISTRATIVE SERVICES -** Request permission to pay Franklin Pierce College, Concord, NH, the sum of $642.00 for the sole purpose of enrolling Donna Raymond, Administrator III, in the course entitled "Science-General Geology".

B. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay the University of New Hampshire, Durham, NH, the sum of $870.00 for the sole purpose of enrolling Robert Arredondo, Professor, in the course entitled "Computational Fluid Dynamics".

C. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay the University of New Hampshire, Durham, NH, the sum of $333.00 for the sole purpose of enrolling Bryan David Edwards, Assistant Professor, in the course entitled "Doctoral Research".

D. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay Nova Southeastern University, Springfield, MA, the sum of $800.00 for the sole purpose of enrolling Froann McLaughlin, Assistant Professor, in the on-line course entitled "Practicum Services".

E. **DENTAL EXAMINERS -** Request permission to pay New Hampshire Community Technical College, Laconia, NH, the sum of $408.00 for the sole purpose of enrolling Tina Kelley, Administrative Assistant, in the course entitled "Fundamentals of Mathematics".

F. **EDUCATION -** Request permission to pay New Hampshire Technical College, Concord, NH, the sum of $473.00 for the sole purpose of enrolling Kristy Cafiero, Technical Support Specialist, in the course entitled "Computer Information Systems".

G. **EDUCATION -** Request permission to pay the University of New Hampshire, Manchester, NH, the sum of $1,572.00 for the sole purpose of enrolling Craig Dailey, Disability Adjudicator/Examiner, in the course entitled "Seminar in American Politics".

H. **EDUCATION -** Request permission to pay Keene State College, Keene, NH, the sum of $750.00 for the sole purpose of enrolling Elizabeth Durant, Vocational Rehabilitation Supervisor, in the course entitled "Group Counseling in Schools".

I. **EDUCATION -** Request permission to pay Plymouth State University, Plymouth, NH, the sum of $1,045.00 for the sole purpose of enrolling Mary T. Lane, Educational Consultant II, in the course entitled "Contemporary Social Trends".

J. **EDUCATION -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $627.00 for the sole purpose of enrolling Ora LeMere, Accounting Technician, in the course entitled "Intermediate Accounting II".

K. **EDUCATION -** Request permission to pay Springfield College, St. Johnsbury, VT, the sum of $762.00 for the sole purpose of enrolling Jean Mainguy, Rehabilitation Counselor II, in the course entitled "Building Multicultural Organizations and Communities".

L. **EDUCATION -** Request permission to pay the College for Lifelong Learning, Bow, NH, the sum of $728.00 for the sole purpose of enrolling Lorraine Payeur, Executive Secretary Stenographer, in the course entitled "Database Management Systems".

M. **EDUCATION -** Request permission to pay Plymouth State University, Plymouth, NH, the sum of $1,145.00 for the sole purpose of enrolling Kimberly Runion, Education Consultant, in the course entitled "Curriculum Development and Assessment".

N. **EDUCATION -** Request permission to Franklin Pierce College, Concord, NH, the sum of $650.00 for the sole purpose of enrolling Scott Vittner, Assistant Vending Stand Coordinator, in the course entitled "Child and Adolescent Development".

O. **HEALTH & HUMAN SERVICES, Division of Alcohol & Drug Abuse -** Request permission to pay Southern New Hampshire University, Nashua, NH, the sum of $627.00 for the sole purpose of enrolling Samantha Lucier, Accountant III, in the course entitled "Contemporary Health".

P. **HEALTH & HUMAN SERVICES, Office of Community & Public Health -** Request permission to pay the University of New Hampshire, Manchester, NH, the sum of $2,400.00 for the sole purpose of enrolling Margaret Heatley, Administrator, in the courses entitled "Public Health Law" and "Field Study".

Q. **HEALTH & HUMAN SERVICES, Employee Assistance Program -** Request permission to pay the University of New Hampshire, Durham, NH, the sum of $1,245.00 for the sole purpose of enrolling Linda Brewer, Employee Assistance Program Specialist, in the courses entitled "Social Welfare Policy II" and "Social Work and Mental Illness".

R. **HEALTH & HUMAN SERVICES, Division of Family Assistance -** Request permission to pay the College for Lifelong Learning, Gorham, NH, the sum of $793.00 for the sole purpose of enrolling Lucille Wiemer, Supervisor III, in the course entitled "Social Research in the Behavioral Sciences".

S. **HEALTH & HUMAN SERVICES, Office of Finance -** Request permission to pay Franklin Pierce College, Concord, NH, the sum of $1,140.00 for the sole purpose of enrolling Kenneth Merrifield, Program Specialist IV, in the course entitled "Legal and Ethical Issues".

T. **HEALTH & HUMAN SERVICES, Office of Program Support -** Request permission to pay the University of New Hampshire, Manchester, NH, the sum of $1,006.50 for the sole purpose of enrolling Valerie King, Program Specialist IV, in the course entitled "Reading and Research in Political Science".

U. **INSURANCE -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $1,398.00 for the sole purpose of enrolling Mary Verville, Financial Records Auditor, in the distance learning courses entitled "Advanced Accounting II" and "Financial Policy & Decision Making".

V. **LIQUOR -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $699.00 for the sole purpose of enrolling Christina Demers, Statistician I, in the course entitled "College Composition II"

W. **LIQUOR -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $699.00 for the sole purpose of enrolling Margaret LaBrecque, Accountant IV, in the course entitled "Financial Policy and Decision Making"

X. **NH HOSPITAL -** Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $616.00 for the sole purpose of enrolling Holly Armstrong, Training & Development Therapist, in the course entitled "Anatomy & Physiology II".

Y. **NH HOSPITAL -** Request permission to pay the University of New Hampshire, Manchester, NH, the sum of $1,218.25 for the sole purpose of enrolling Debora Barton, Utilization Review Coordinator, in the course entitled "Social Welfare Policy II".

Z. **OFFICE OF INFORMATION TECHNOLOGY -** Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $473.00 for the sole purpose of enrolling David Terrill, Technical Support Specialist V, in the course entitled "Introduction to Networking".

AA. **TRANSPORTATION -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $679.50 for the sole purpose of enrolling Donald Lasell, Project Manager, in the course entitled "Production and Operations Management".

BB. **TRANSPORTATION -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $558.00 for the sole purpose of enrolling Robin Schofield, Secretary II, in the courses entitled "Principles of Management" and "Organizational Behavior".

LATE ITEMS

The Governor and Council acted as follows, with item H being **tabled** on motion of Councilor Burton, seconded by Councilor Wheeler.

A. **DEPARTMENT OF ENVIRONMENTAL SERVICES**

Authorize DES to enter into a grant in aid agreement, under the provision of RSA 149-M, with the town of Madison, NH 03849, Vendor Code 21042, for the Closure of the Town of Madison's Unlined Municipal Landfill in amount not to exceed $97, 806.94. The grant to be awarded upon Governor and Executive Council approval. 100% General Funds.

B. DEPARTMENT OF ENVIRONMENTAL SERVICES

Authorized City of Dover's request to dredge 7,200 sq ft within tidal waters for the removal of existing sediment and debris, which is blocking numerous discharge ports on the City of Dover's Wastewater Treatment Plant outfall diffuser in the Piscataqua River, and for the installation of duckbill diffuser valves to minimize future blockages on property located along the Piscataque River Channel in Dover. File # 2003-01487. This project will prevent continued blockage of the WWTP outfall diffuser.

C. DEPARTMENT OF TRANSPORTATION

Authorized to enter into a contract with AHO Construction, Inc. 30 Tricnit Road, New Ipswich, NH 03071 for a lump sum price of $1,370,000.00 for Low Bid Design/Build Dental Hygiene/Assisting Program Building, 11 Institute Dr. Concord, NH.

D. OFFICE OF STATE PLANNING AND ENERGY PLANNING

Authorized to enter into an agreement with the Seacoast Science Center Inc., Rye, NH, to install new educational exhibits and upgrade and relocate existing exhibits at the Center under the provisions of the NH coastal Program in the amount of $28,097. Effective upon G&C approval through June 30, 2004. **Federal Funds.**

E. OFFICE OF STATE PLANNING AND ENERGY PLANNING

Authorized to amend an existing agreement with the City of Portsmouth, NH, (previously approved by G&C on 8-14-02, item #8), to stabilize the northern shoreline and develop recreational paths on Pierce Island, for the purpose of changing the dollar amount by adding $20,000 to the original amount of $100,000 for a new total of $120,000. **Federal Funds.**

F. ATTORNEY GENERAL

Authorized the salary increase set out in Appendix A, for Attorneys in the Department of Justice, effective December 28, 2003 as authorized by RSA 94:1-a, I(c)(3)(Supp.2002).

G. ATTORNEY GENERAL

Authorized the petition of Keith Andrew McNeil for a pardon hearing for two convictions of Simple Assault. Mr. McNeil is not eligible for annulment. The hearing will be held Monday December 22, 2003 at 10:00 a.m. in the Council Chambers.

H. DEPARTMENT OF HEALTH AND HUMAN SERVICES

TABLED – The Governor and Council on motion of Councilor Burton, seconded by Councilor Wheeler, voted to **table** the request to enter into an agreement with the First Health Services Corporation, Glen Allen VA, in the amount of $5,589,862 for the purpose of managing pharmacy benefits under the Medicaid program for the period from January 1, 2004 through December 31, 2005. **Tabled until Monday December 22, 2003.**

Next Governor and Executive Council meeting is scheduled for Wednesday, January 7, 2004 at 10:00 a.m. at the State House in Concord, NH.

The Honorable Board then Adjourned