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STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
DIVISION OF FORESTS AND LANDS
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September 5, 2013

*100% Transfer
(Fish & Game)*

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Executive Council
State House
Concord, New Hampshire 03301

Retraction

REQUESTED ACTION

1. Authorize the Department of Resources and Economic Development (DRED), Division of Forests and Lands to enter into a **RETROACTIVE** Memorandum of Agreement (MOA) with the New Hampshire Fish and Game Department (NHF&G) for the purpose of providing Off Highway Recreational Vehicle (OHRV) Enforcement Patrols upon approval of Governor and Executive Council from July 1, 2013 through June 30, 2014.
2. Further authorize the Department to accept and expend payments not to exceed \$2,160 to be made by NHF&G in accordance with the terms of the MOA.

03-35-35-351010-35200000 FOREST PROTECTION

		FY 2014 Current Budget	Requested Action	FY 2014 Revised Budget
001-405893	Transfers from Other Agency	(\$0)	(\$2,160)	(\$2,160)
004-403631	Intra-Agency Transfers	(124,483)	0	(124,483)
010-500100	Personal Services Perm Classified	645,411	0	645,411
018-500106	Overtime	0	2,160	2,160
020-500200	Current Expenses	28,264	0	28,264
023-500264	Heat/Electricity/Water	1,000	0	1,000
026-500251	Organizational Dues	4,300	0	4,300
039-500188	Telecommunications	10,000	0	10,000
050-500109	Personal Services - Temporary	40,000	0	40,000
060-500612	Benefits	465,480	0	465,480
070-500704	In State Travel Reimbursement	2,500	0	2,500
	Totals	1,196,955	2,160	1,199,115





EXPLANATION

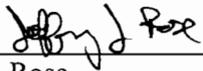
NHF&G wishes to enter into a MOA with DRED, Division of Forests and Lands to provide OHRV Enforcement Patrol coverage on the properties known as Connecticut Lakes Headwaters, Jericho State Park, Nash Stream Forest and other areas of the State under their jurisdiction and adjacent properties, pursuant to the authority under RSA 215-A:23, VIII(f). Additional areas other than the above may be patrolled if a need is determined by NHF&G and DRED. OHRV Enforcement Patrols will be provided by Division Forest Rangers dressed in a recognizable department uniform.

The following additional appropriation is requested for Fiscal 2014:

Class 018 – Overtime \$2,160, to pay current Forest Protection Bureau staff to patrol a minimum of 4 hours per shift on properties under their jurisdiction.

This request is retroactive due to the length of time needed to generate and negotiate the MOA terms. Your approval of this MOA will ensure this relationship. The Attorney General's Office has reviewed and approved this MOA as to form, substance and execution.

Respectfully submitted,



Jeffrey J. Rose
Commissioner



State of New Hampshire
Department of Resources and Economic Development
Division of Forests and Lands

FISCAL SITUATION

03-35-35-351010-35200000 FOREST PROTECTION

Total Current Budget for FY 2014	\$1,196,955
Other Funds Budget Request for FY 2014	<u>\$2,160</u>
Total Revised Budget for FY 2014	\$1,199,115



MEMORANDUM OF AGREEMENT

between

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT
DIVISION OF FORESTS AND LANDS

and

THE NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Department of Resources and Economic Development and the New Hampshire Fish and Game Department agree to cooperate in the performance of the project described below:

Project Title: OHRV ENFORCEMENT

Project Outline: The Department of Resources and Economic Development shall perform the following services during the period July 1, 2013 to June 30, 2014.

1. Provide adequate Off Highway recreational Vehicle Enforcement Patrol coverage for a minimum of 4 hours per shift on the properties commonly known as Connecticut Lakes Headwaters Trail, Jericho State Park, Nash Stream Forest, other areas of the State under their jurisdiction and adjacent properties, pursuant to the authority under RSA 215-A:23, VIII(f).
2. If the DRED, Forests and Lands Forest Protection Bureau and the New Hampshire Fish and Game Department shall determine that there is a need for additional Off Highway Recreational Vehicle enforcement patrols in areas other than Connecticut Lakes Headwaters Trail, Jericho State Park, Nash Stream Forest, other areas of the State under their jurisdiction and adjacent properties, prior approval must be obtained by the DRED Forests and Lands Forest Protection Bureau to the New Hampshire Fish and Game Department.
3. All police officers providing Off Highway Recreational Vehicle Enforcement Patrols, shall be employed by the Department of Resources and Economic Development, Division of Forests and Lands Forest Protection Bureau.
4. All police officers providing Off Highway Recreational Vehicle Enforcement Patrols shall be dressed in a recognizable department uniform.

Funds:

The total project cost is not to exceed \$2,160.00.

The Department of Resources and Economic Development, Forests and Lands Forest Protection Bureau shall receive compensation at the rate of \$45.00 per hour with a total compensation as approved by the Governor and Executive Council.

Payment shall be made to the Department of Resources and Economic Development, Forests and Lands Forest Protection Bureau within thirty (30) days of submission of an invoice submitted to the New Hampshire Fish and Game Department with the Off Highway Recreational Vehicle Special Detail Report form. The Fish and Game Department shall supply the printed form and/or

computer program version.

Amendment

This agreement may be amended, waived or discharged only by an instrument in writing signed by the parties hereto.

Termination of Agreement

Notices of intent to terminate the Agreement before the completion date shall be given, in writing, by either party desiring the termination at least three (3) months in advance of such termination date.

Covenant Not to Discriminate: Prevention of Discrimination

The Department of Resources and Economic Development will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Department of Resources and Economic Development will take affirmative action to ensure that applicants are employed and that employees are treated during employment without discrimination because of their race, color, religion, sex or national origin. Such action shall include, but not be limited to, employment, upgrading, demotion or transfer; recruitment or recruitment advertising; lay-off or termination; for training, including apprenticeship.

Notice of Advertisements of Employment

The Department of Resources and Economic Development will, in all solicitations of employees or advertisements of employment placed by or on behalf of the Department, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

IN WITNESS THEREOF, the respective parties have hereunto set their hand on the dates indicated.

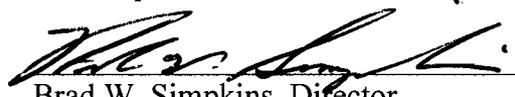
Date 8/19/13


Glenn Normandeau, Executive Director
Fish and Game Department

Date 8/12/13

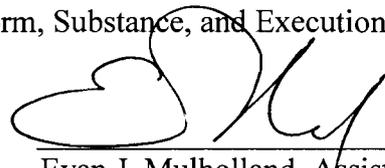

Jeffrey J. Rose, Commissioner
Department of Resources and Economic
Development

Date 8/9/13


Brad W. Simpkins, Director
Division of Forest and Lands

Approved by Attorney General (Form, Substance, and Execution)

Date 8/27/13


Evan J. Mulholland, Assistant Attorney General
Department of Justice

