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ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

33 CAPITOL STREET
 CONCORD, NEW HAMPSHIRE 03301-6397

GORDON J. MACDONALD
 ATTORNEY GENERAL



JANE E. YOUNG
 DEPUTY ATTORNEY GENERAL

November 26, 2019

His Excellency, Governor Christopher T. Sununu
 and the Honorable Council
 State House
 Concord, New Hampshire 03301

Your Excellency and Members of the Council:

REQUESTED ACTION

1. That approval be and hereby is given to the Attorney General to grant a salary increase to Jon-Daniel Lavallee, as an Attorney (Position #9U224, Appropriation #02-20-20-201010-2620-013-500132) from a salary level of \$64,000 to a salary level of \$73,000 **retroactive** to July 1, 2019 upon Governor and Executive Council approval.
2. Upon approval of Requested Action #1 above, it is further requested that approval be granted and hereby is given to the Attorney General to appoint Jon-Daniel Lavallee, (Position #9U224, Appropriation #02-20-20-201010-2620-013-500132) as an Assistant Attorney General at a salary level of \$76,000, effective upon Governor and Executive Council approval or December 20, 2019, whichever is later, for a term ending August 31, 2024.

EXPLANATION

In accordance with the 2001 N.H. Laws Chapter 158, Section 101, and 2018 N.H. Laws Chapter 162, Section 14, this request seeks your approval to grant a salary increase for Attorney John-Daniel Lavallee. **Requested Action #1** of this item is **retroactive** because funds in the Fiscal Year 2020-2021 biennium budget were not available to submit this request prior to July 1, 2019.

RSA 94:1-a(1)(c)(3) provides that designation of positions, salary levels, and salary increases for attorneys at the Department of Justice shall be determined by the Attorney General, subject to approval of the Governor and Council, within appropriations made to the Department of Justice.

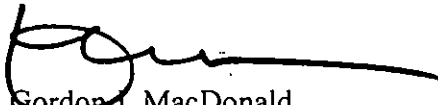
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Requested Action #2, seeks authorization to move Mr. Lavallee from the status of Attorney to that of Assistant Attorney General, with a term effective upon Governor and Council approval, or December 20, 2019, whichever is later, for a term ending December 7, 2024. The annual salary increase, from \$73,000 to \$76,000, effective that same date, is warranted and justified based on the experience garnered by Mr. Lavallee during his tenure in our office.

Mr. Lavallee is a resident of Henniker. He received his law degree from the University of Colorado Law School in May 2013. From January 2012 through July 2013, Mr. Lavallee worked as a student attorney at the University of Colorado Law School in the Getches-Green Natural Resources & Environmental Law Clinic. He was also a legislative aide to Senator Mike Johnston of Denver, Colorado from January through April 2013. From January through June 2014, Mr. Lavallee worked as an energy policy intern at the New Hampshire Nature Conservancy. In July 2014 he enlisted as a Lieutenant in the United States Coast Guard and currently is in the Coast Guard Reserve. Mr. Lavallee joined the Department of Justice in December 2018 as a client counselor in the Civil Bureau. His salary will increase by \$12,000, from \$64,000 to \$76,000. I will continue his assignment in the Civil Bureau.

I am very pleased to offer Mr. Lavallee's appointment as an Assistant Attorney General at the above-referenced salary for your approval. I respectfully urge your favorable consideration. Thank you.

Respectfully submitted,



Gordon J. MacDonald
Attorney General

#2560922

Jon-Daniel Lavalley

PROFESSIONAL EXPERIENCE

N.H. Department of Justice, Concord, NH

December 2018 – Present

Attorney, Civil Bureau, Office of the Attorney General

- Provide legal advice and opinions to 45 executive branch agencies, boards, councils, and commissions.
- Represent the state and its agencies before State and Federal Courts and in administrative proceedings.

United States Coast Guard Reserve, Boston, MA

October 2018 – Present

Lieutenant, Coast Guard Sector Boston

- Assigned as a reserve member charged with augmenting the management of the marine transportation system throughout the unit's area of responsibility.
- Supervise twelve enlisted marine science technicians who support their active-duty counterparts in responding to pollution threats in the marine environment and train to deploy in national emergencies.

United States Coast Guard, Boston, MA

July 2014 – September 2018

Lieutenant, First Coast Guard District

- Assigned as an assistant staff judge advocate (staff attorney) responsible for providing legal advice to the district commander as well as to subordinate units and partner commands across an eight-state region.
- Stand routine watch to provide 24/7 legal advice on urgent maritime law enforcement, pollution response, marine investigations, and other various criminal and civil matters.
- Serve as the primary attorney-advisor on agency regulatory authorities and waterways management matters, including agency rulemaking and the permitting of bridges.
- Serve as trial counsel in courts-martial and government counsel in administrative hearings.

The Nature Conservancy – New Hampshire, Concord, NH

January – June 2014

Energy Policy Intern

- Researched a variety of state and regional energy policies pertinent to the state energy planning process, including the Regional Greenhouse Gas Initiative and the siting of electric generating facilities.
- Produced detailed reports and analysis on energy issues to guide and inform The Nature Conservancy's policy development within New Hampshire and beyond.

University of Colorado Law School, Boulder, CO

January 2012 – July 2013

Student Attorney, Getches-Green Natural Resources & Environmental Law Clinic

- Conducted legal research, drafted memoranda and motions, and advised clients regarding a federal district court challenge to federal coal leasing in Wyoming.
- Drafted portions of an Endangered Species Act listing petition.

State Senator Mike Johnston, Denver, CO

January – April 2013

Legislative Aide

- Researched proposed legislation and authored external fact sheets on pending bills.
- Communicated with legislators, state agency liaisons, lobbyists, local organizations, and the general public on behalf of Senator Johnston.

Resume of Jon-Daniel Lavallee

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Conservation Law Foundation, Concord, NH

May – August 2012

Legal Intern

- Researched electricity ratemaking procedures and assisted in discovery for state public utilities commission litigation.
- Prepared public comments on Clean Water Act compliance in New Hampshire's Great Bay Estuary.
- Researched and drafted legal memoranda in support of Clean Water Act litigation.

University of Colorado Law School, Boulder, CO

May – December 2011

Research Assistant, Professor Sarah Krakoff

- Co-authored textbook chapter on Native Americans' natural resources development in *CLIMATE CHANGE AND INDIGENOUS PEOPLES: THE SEARCH FOR LEGAL REMEDIES* (Edward Elgar Publishing, 2013).

American Public Power Association, Washington, D.C.

June – July 2009

Publication Intern

- Wrote and edited articles for publication in national daily and weekly newsletters to Association members.
- Researched the American Recovery & Reinvestment Act as it related to municipally owned utilities.

EDUCATION

University of Colorado Law School, Boulder, Colorado

May 2013

Juris Doctor, Natural Resources Law & Policy Certificate

GPA: 3.67; Rank: 30/187 (Top 20%)

Georgetown University, Washington, D.C.

August 2009

The Fund for American Studies Program – Institute on Political Journalism

Gordon College, Wenham, Massachusetts

May 2009

Bachelor of Arts, *magna cum laude*, Communication Arts; Minor in Pre-Law

BAR ADMISSIONS

- State of Massachusetts
- State of New Hampshire
- U.S. District Court for the District of New Hampshire

AWARDS

- First Coast Guard District Junior Officer of the Quarter
- Department of Homeland Security Excellence in Teaching Award
- 2013 Gary C. Bryner Distinguished Service Award, an annual award given to a third-year Colorado Law School student whose conduct and contributions to solving natural resources and environmental policy issues best reflect the ideals of open dialogue, critical assessment, and fair-minded debate.

PERSONAL

- Avid runner; completed 2013 & 2014 Boston Marathons, 2012 Clarence DeMar Marathon, and numerous half-marathons.
- Hiked 45 out of New Hampshire's 48 4000-foot peaks.