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**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOSEPH A. FOSTER
ATTORNEY GENERAL



ANN M. RICE
DEPUTY ATTORNEY GENERAL

July 21, 2016

The Honorable Neal M. Kurk, Chairman
Fiscal Committee of the General Court
State House
Concord, NH 03301

Her Excellency Governor Margaret Wood Hassan
And the Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

1. Pursuant to RSA 14:30-a VI, authorize the Department of Justice, Drug Task Force to accept and expend a subgrant from the Department of Justice in the amount of \$108,223 for the purpose of adding an attorney to focus on prosecuting drug cases upon Fiscal Committee and Governor and Executive Council approval through June 30, 2017. 100% Agency Income.

Funds are to be budgeted in 02-20-20-200510-29040000 Job#20BYRNDTFPFY17, Department of Justice, Drug Task Force as follows:

Class/Expense	Class Title	Current SFY17 Budget	Increase Amount	Revised SFY17 Budget
010-500100	Personal Services Perm. Class.	\$72,414	\$0	\$72,414
013-500132	Personal Services Unclassified	\$132,801	\$0	\$132,801
014-500134	Personal Services-Unclassified	\$212,041	\$0	\$212,041
017-500147	FT Employees Special Payment	\$3,615	\$0	\$3,615
018-500106	Overtime	\$10,000	\$0	\$10,000
020-500200	Current Expense	\$15,100	\$260	\$15,360
022-500255	Rents Leases Other Than State	\$750	\$0	\$750
027-582703	Transfers to DoIT	\$25,000	\$1,000	\$26,000
028-582814	Transfers to General Services	\$41,587	\$0	\$41,587

030-500311	Equipment	\$0	\$2,000	\$2,000
037-500173	PC Desktop Hardware New	\$0	\$1,500	\$1,500
038-500175	Desktop Software New	\$0	\$1,200	\$1,200
039-500188	Telecommunications	\$12,000	\$1,200	\$13,200
040-500800	Indirect Costs	\$54,469	\$0	\$54,469
041-500801	Audit Fund Set-Aside	\$605	\$0	\$605
042-500620	Additional Fringe Benefits	\$16,316	\$6,300	\$22,616
059-500117	Temp-Full Time	\$1,730	\$64,000	\$65,730
060-500612	Benefits	\$183,450	\$29,763	\$213,213
070-500704	In State Travel	\$2,000	\$1,000	\$3,000
Total		\$783,878	\$108,223	\$892,101

Source of Funds

000-404463	Federal Funds	\$783,878	\$0	\$783,878
009-401345	Agency Income	\$0	\$108,223	\$108,223
Total		\$783,878	\$108,223	\$892,101

2. Upon approval of paragraph one and pursuant to RSA 124:15, authorize the Department of Justice, Drug Task Force, to establish one (1) full-time salaried Drug Prosecutor within budget class 059 (Full-Time Temporary) upon Fiscal Committee and Governor and Executive Council approval through June 30, 2017. 100% Agency Income.

EXPLANATION

The Department of Justice has the opportunity to accept a subgrant from the Department of Justice (origin: Federal Fiscal Year 2013 Byrne Justice Assistance Grant Program) to fund an attorney dedicated to prosecuting drug cases, as authorized under 2016 Chapter Law 330.14. The drug prosecutor would work with other attorneys in the Department's Division of Public Protection to prosecute cases arising from the illegal sale of drugs.

In response to the monumental increase in drug overdose deaths over the past two years, the Department has launched an initiative, in conjunction with the New Hampshire State Police and the United States Drug Enforcement Administration to identify and prosecute individuals who sell or distribute illegal drugs that have caused someone's death. The requested drug prosecutor position will assist on the initiative.

The funds budgeted to support the activities are as follows:

- Class 020-Current Expense-To cover office supplies and outreach/support materials.
- Class 027-Payments to DoIT for technical support.
- Class 030-Equipment-to cover office furniture for the Drug Prosecutor.
- Class 037-PC Desktop Hardware New-For desktop PC and monitor.
- Class 038-Desktop Software New-For software licensing.

Class 039-Telecommunications-to cover telephone service charges and cell phone.

Class 042-Additional Fringe Benefits-Post Retirement.

Class 059-Personnel-Temporary Full Time-Covers salary expenses for an attorney position to prosecute drug cases.

Class 060-Benefits-To cover benefits for the Drug Prosecutor position.

Class 070- In State Travel expenses to cover in-state mileage for the attorney for drug-related prosecution matters.

Class 040 (Indirect Costs) and Class 041 (Audit Fund Set-Aside) are budgeted with the Department of Justice's acceptance of the original federal grant.

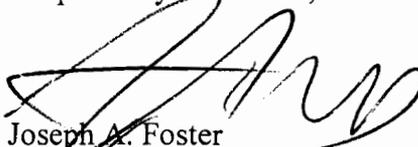
The following information is provided in accordance with the Comptroller's Instructional Memorandum dated September 21, 1981.

1. **List of personnel involved:** One temporary, full-time salaried position (Class 059) to serve as a Drug Prosecutor.
2. **Nature, Need and Duration:** This full time position will be in effect for the period effective upon Fiscal Committee and Governor and Executive Council approval through June 30, 2017.
3. **Relationship to existing agency programs:** This funding is to be utilized specifically to establish a Drug Prosecutor as permitted in 2016 Chapter Law 330.14.
4. **Has a similar program been requested of the legislature and denied?** No similar program has been requested and denied.
5. **Why wasn't funding included in the agency's budget request?** This project was not included in the Department's budget request because the legislation for the position was not passed until June 2016.
6. **Can portions of the funds be utilized for other purposes?** No portion of this subgrant can be used for any other purpose.
7. **Estimate the funds required to continue this position(s):** It is estimated that it will cost \$93,763 for salary and benefits for the full time temporary position through June 30, 2017.

In the event these funds should no longer become available, general funds will not be requested in support of this position.

Please let me know if you have any questions regarding this request. Your consideration is greatly appreciated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Foster', written over a horizontal line.

Joseph A. Foster
Attorney General

#1451763

Department of Justice
GRANTS FISCAL SITUATION FISCAL YEAR 2017
02-20-20-200510-29040000 Division of Public Protection, Drug Task Force

Total Agency Authorization	\$ 108,223
Less Expenditures to 06/30/2016	<u>\$ -</u>
Remaining Authorizatin to Budget	\$ 108,223

Less Current Budget Authorization	\$ -
Total Available for Budgeting	<u>\$ 108,223</u>

Available to Budget at Later Date	\$ -
REQUESTED ACTION	<u><u>\$ 108,223</u></u>

Grant Award Number	Award Amount	Expenses to 06/30/2016	Balance
2017JAG06	\$ 108,223	\$ -	\$ 108,223
Prior Year Grant Award	\$ -	\$ -	\$ -
Total			<u><u>\$ 108,223</u></u>

STATE OF NEW HAMPSHIRE DEPARTMENT OF JUSTICE GRANT AWARD		
Agency Name: NH Department of Justice	Vendor No.: 177877-B001	
Program Name: Drug Prosecutor	Amount: \$ 108,223	
Grant Start Date: Fis & G&C App	State Grant Number:	
Grant End Date: 6/30/2017	Federal Grant Number: 2017JAG06	
Appropriation No.: 02-20-20-201510-2904-072-500576		
Head of Agency	Project Director	Fiscal Officer
Joseph Foster Attorney General 33 Capitol Street Concord, NH 03301 603-271-3650	Jane Young Associate Attorney General	Kathleen Carr Director of Administration
Federal Grant Name:	Byrne JAG	
Federal Agency:	United States Department of Justice	
Bureau/Office:	Office of Justice Programs	
CFDA Number:	16.738	
Purpose of Grant:	Drug Prosecutor	
Program Requirements:	Adherence to Program Conditions and Guidelines.	
Match Requirements: Program income Requirements:	Match must be spent on program allowable activities.	
Reporting Requirements:	Monthly or quarterly Financial reports. Required Performance reports and audit. Adherence to Program Conditions and Guidelines. Completion of Monitoring forms and processes.	
Approval	Program Agency	NH Department of Justice
Name	Joseph Foster	Kathleen Carr
Title	Attorney General	Director of Administration
Date		
All terms of this grant award are not valid unless signed by both authorized parties.		