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STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
DIVISION OF FORESTS AND LANDS
172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

August 5, 2014

603-271-2214
FAX: 603-271-6488
www.nhdf.org

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

Retroactive

*100% Transferred from
Other Agency*

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, 2014 through June 30, 2015.
2. Further authorize the Department to accept and expend payments not to exceed \$2,720 to be made by NHF&G in accordance with the terms of the MOA.

03-35-35-351010-35200000 FOREST PROTECTION

		FY 2015 Current Budget	Requested Action	FY 2015 Revised Budget
001-405893	Transfers from Other Agency	(\$0)	(\$2,720)	(\$2,720)
004-403631	Intra-Agency Transfers	(124,103)	0	(124,103)
009-405667	Agency Income	(9,287)	0	(9,287)
010-500100	Personal Services Perm Classified	640,923	0	640,923
018-500106	Overtime	2,575	2,720	5,295
020-500200	Current Expenses	29,538	0	29,538
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	41,000	0	41,000
059-500117	Temp Full Time	490	0	490
060-500612	Benefits	481,760	0	481,760
070-500704	In State Travel Reimbursement	3,610	0	3,610
	Totals	\$1,215,196	\$2,720	\$1,217,916



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.

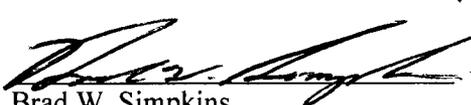
The following additional appropriation is requested for Fiscal 2015:

Class 018 – Overtime \$2,720, 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,

Concurred,


Brad W. Simpkins
Interim Director


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 2015	\$1,262,834
Other Funds Budget Request for FY 2015	<u>\$2,720</u>
Total Revised Budget for FY 2015	\$1,265,554

1000-111-10111

1000-111-10111



New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500
(603) 271-3421
FAX (603) 271-1438

www.WildNH.com
e-mail: info@wildlife.nh.gov
TDD Access: Relay NH 1-800-735-2964

September 4, 2014

Dear Contract Administrator:

The New Hampshire Fish and Game Department is pleased to announce that your Grant for OHRV Wheeled Vehicle Enforcement has been approved. The contract period is from July 1, 2014 to June 30, 2015 and is to be used exclusively for the purpose of OHRV Wheeled Vehicle Enforcement.

Please observe the following requirements of the contract. Your agency must submit an invoice of your department's activities. Please submit the invoices on either a monthly or quarterly basis to this agency. A report of your activity must also accompany the invoice. For your convenience I have enclosed a copy of the OHRV Activity Report Form and the directions to complete them. It is important that this report is submitted because the New Hampshire Fish and Game Department has developed a database to facilitate the mandatory annual report of OHRV activities. **All invoices must be submitted to the New Hampshire Fish and Game Department no later than September 30th following the end of the contract year.**

We have also received original copies of summonses that are issued by officers participating in these details. Unlike Motor Vehicle, an OHRV summons can be submitted directly to the court. This will ensure that the summons is processed in a timely manner. RSA 215-A:18 III provides that for each fine that is collected by a municipal or district court that the court shall retain a portion of the fine for administrative purposes and the balance shall be remitted to the agency for which the officer was working.

Thank you for your interest in participating in this program. I look forward to working with your agency to promote safe and responsible riding. Please do not hesitate to contact me at 603-271-3129 or John.Wimsatt@wildlife.nh.gov if you have any questions or concerns.

Sincerely,

Captain John B. Wimsatt

JBW: dae

Enc. OHRV Activity Reporting Form
OHRV Reporting Form Instructions

REGION 1

629B Main Street
Lancaster, NH 03584-3612
(603) 788-3164
FAX (603) 788-4823
email: reg1@wildlife.nh.gov

REGION 2

PO Box 417
New Hampton, NH 03256
(603) 744-5470
FAX (603) 744-6302
email: reg2@wildlife.nh.gov

REGION 3

225 Main Street
Durham, NH 03824-4732
(603) 868-1095
FAX (603) 868-3305
email: reg3@wildlife.nh.gov

REGION 4

15 Ash Brook Court
Keene, NH 03431
(603) 352-9669
FAX (603) 352-8798
email: reg4@wildlife.nh.gov

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 (DRED) 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, 2014 to June 30, 2015.

1. Provide adequate Off Highway Recreational Vehicle Enforcement Patrol coverage for a minimum of 4 hours per shift on the 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 from 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 \$2,720.00.

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 of 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.

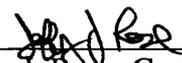
IN WITNESS THEROF, the respective parties have hereunto set their hand on the dates indicated.

Date 8/26/14

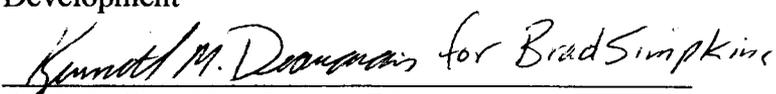

Glenn Normandeau, Executive Director
Fish and Game Department

TM

Date 8/18/14

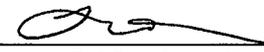

Jeffrey J. Rose, Commissioner
Department of Resources and Economic
Development

Date 8/15/14


Brad W. Simpkins, Interim Director
Division of Forests and Lands

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

Date 9-4-14


Lauren J. Noether, Sr. Assistant Attorney General
Department of Justice