

The Governor and Executive Council convened at 2:00 P.M. with all members being present.

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The following representatives-elect were sworn into office by the Governor and Executive Councilors on December 19, 1990:

Grafton District No. 2

Richard T. Trelfa, r, Lisbon (P.O. Box 245) 03585

Grafton District No. 11

Patricia Berry Brown, r&d, Canaan (P.O. Box 368, Enfield)
03748

Hillsborough District No. 9

Nancy L. Tarpley, r, Amherst (P.O. Box 693) 03031

Hillsborough District No. 31

Debora B. Pignatelli, d, Nashua (24 Decatur Drive) 03063

Hillsborough District No. 33

Linda S. Wihby, r, Manchester (2929 North Elm St.) 03104

Merrimack District No. 4

Elizabeth S. Millard, r, Boscawen (137 Water St.) 03303

Merrimack District No. 10

Martin Feuerstein, r&d, Franklin (801 Central St.) 03235

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The Governor set the date for a Special Election in Salem:

P R E C E P T

THE STATE OF NEW HAMPSHIRE

Executive Chamber

To the Selectmen and Town Clerk of Salem -

GREETINGS:

WHEREAS, a vacancy in the representation of Rockingham County Representative District No. 20 has occurred; and

WHEREAS, the Governor with the advice and consent of the Executive Council, has ordered a special election for the filling of the aforesaid vacancy to be held throughout Rockingham County District No. 20 on March 12, 1991;

NOW, THEREFORE, it is ordered that you cause to be held within your voting district an election to fill the vacancy in Rockingham County Representative District No. 20, all in accordance with law as in such case made and provided.




Governor Judd Gregg

By His Excellency, the Governor
with the advice and consent of the Executive Council


Secretary of State

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The Governor and Council, on motion of Councilor Streeter, seconded by Councilor Burton, accepted the minutes of the December 7, 1990 meeting.

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The Governor and Council, on motion of Councilor Streeter, seconded by Councilor Burton, confirmed the appointments of the several persons nominated for Civil Commissions at the December 7, 1990 meeting.

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

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The Governor and Council accepted with regret the following resignations:

AMERICAN AND CANADIAN FRENCH CULTURAL EXCHANGE COMMISSION

YVETTE L. CHAGNON, Nashua Effective: Immediately

LACONIA POLICE COMMISSION

BURLON F. MCGOWAN, Laconia Effective: Immediately

SPECIAL JUSTICE - NEWPORT DISTRICT COURT

GORDON B. FLINT, JR., Newport Effective: Immediately

TRAFFIC SAFETY COMMISSION

DONALD MINER, Concord Effective: Immediately

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The Governor and Council confirmed the following appointments:

NEW HAMPSHIRE DEPARTMENT OF JUSTICE

GEORGE DANA BISBEE, Concord TERM: March 31, 1991
(Deputy Attorney General)
Effective December 19, 1990

Salary: Group Q - Maximum Level at \$65,340

AVIATION USERS ADVISORY BOARD - DIVISION OF AERONAUTICS

PATRICK DUFFY, Manchester TERM: July 25, 1993
(Airport Authority)
Succeeding Samuel D. Smith, Jr., Manchester
Effective December 19, 1990

JOHN W. FERNS, Concord TERM: October 29, 1994
(Airport Manager)
Reappointment
Effective December 19, 1990

BOARD OF BARBERING AND COSMETOLOGY

CYNTHIA MARPLE, Manchester TERM: July 1, 1993
(Cosmetologist)
Succeeding Leon Cyr, Manchester
Effective December 19, 1990

BOXING & WRESTLING COMMISSION

ROBERT STEPHEN, Manchester TERM: July 15, 1993
Reappointment
Effective December 19, 1990

CHILDREN AND YOUTH SERVICES ADVISORY BOARD

STEVEN H. WARSHAW, Portsmouth TERM: December 2, 1993
(Strafford County)
Reappointment
Effective December 19, 1990

STATE BOARD OF EDUCATION

JUDITH O. THAYER, Manchester TERM: January 31, 1996
(District 4)
Preappointment/Reappointment
Effective January 31, 1991

Councilors Burton and Spaulding voted NO

JOINT PROMOTIONAL PROGRAM SCREENING COMMITTEE

KRISTOFER R.S. KLEFOS, Concord TERM: December 3, 1993
 (Designee of Commissioner of DRED)
 Reappointment
 Effective December 19, 1990

STATE LIQUOR COMMISSION

ANTHONY C. MAIOLA, Newport TERM: July 1, 1993
 Succeeding Lyle E. Hersom, Northumberland
 Effective December 19, 1990

MEDICAL REVIEW SUBCOMMITTEE

STUART W. RUSSELL, Hanover TERM: December 3, 1993
 Reappointment
 Effective December 19, 1990

PESTICIDES CONTROL BOARD

JEFFREY R. HUNTINGTON, Loudon TERM: November 6, 1993
 (NH Horticultural Society)
 Reappointment
 Effective December 19, 1990

POLICE COMMISSION

THOMAS F. MULLEN, Laconia TERM: September 1, 1993
 (Laconia)
 Reappointment
 Effective December 19, 1990

POSTSECONDARY EDUCATION COMMISSION

RICHARD A. GUSTAFSON, Manchester TERM: June 30, 1994
 (President NH College)
 Reappointment
 Effective December 19, 1990

NEW HAMPSHIRE STATE PORT AUTHORITY

ROLAND BARNABY, Portsmouth TERM: December 16, 1994
 (Commercial Fisherman)
 Reappointment
 Effective December 19, 1990

STATE RADIATION ADVISORY COMMITTEE

PHILIP G. LABOMBARDE, Nashua TERM: October 14, 1994
 (Public Member)
 Reappointment
 Effective December 19, 1990

RIVERS MANAGEMENT ADVISORY COMMITTEE

JAMES P. BASSETT, Canterbury TERM: November 16, 1993
(Representative of NH Municipal Association)
Reappointment
Effective December 19, 1990

DEPARTMENT OF TRANSPORTATION - DIRECTOR OF PUBLIC WORKS

JOHN W. CLEMENT, Concord TERM: January 1, 1995
Succeeding Robert B. Dowst
Effective January 1, 1991

Salary: Group P - Step 2 at \$54,911

WATER SUPPLY AND POLLUTION CONTROL COUNCIL

MICHAEL G. LITTLE, Concord TERM: February 5, 1995
(Public Member)
Preappointment/Reappointment
Effective February 5, 1991

WETLANDS BOARD

BONNIE D. HAM, North Woodstock TERM: January 3, 1994
(Elected Municipal Official)
Preappointment/Reappointment
Effective January 3, 1991

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The Governor placed in nomination the following:

STATE BOARD OF AUCTIONEERS

ARTHUR T. DIPRETE, Bow TERM: March 1, 1995
(Public Member)
Succeeding Scot W. Pollock, Manchester
Preappointment
Effective March 1, 1991

INDUSTRIAL DEVELOPMENT AUTHORITY

#1. The Governor and Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized Resolution under RSA 162-I:9 with respect to financing industrial facilities by the Authority for Tall Pines Joint Venture and Mediplex of New Hampshire, Inc. in Chesterfield at \$2,400,000 for waste water treatment system at Spofford Hall in Chesterfield. A roll call vote was taken, the results are as follows:

- Councilor Burton - yes
- Councilor Spaulding - yes
- Councilor Griffin - yes
- Councilor Rinker - yes
- Councilor Streeter - yes

See Pages 22-H, (#1-A thru #1-C)

#2. The Governor and Council, on motion of Councilor Burton, seconded by Councilor Streeter, authorized Resolution under RSA 162-I:9 with respect to financing industrial facilities by the Authority, (Submitted subject to approval by IDA) for Public Service Company of New Hampshire in Seabrook for pollution control revenue bonds: three tax-exempt bonds at \$66,090,000, \$120,000,000 and \$112,500,000 respectively and two taxable series bonds at \$114,500,000 each. A roll call vote was taken, the results are as follows:

- Councilor Burton - yes
- Councilor Spaulding - yes
- Councilor Griffin - yes
- Councilor Rinker - yes
- Councilor Streeter - yes

See Pages 22-H, (#2-A thru #2-J)

The following individuals spoke against Item #2:

- Campaign for Ratepayers Rights
- Robert Cushing, Jr.
- New Hampshire Citizen Action
- Larry Converse
- Bob Stouffer
- John Cloutier

Senator Beverly Hollingsworth

The following individuals spoke in favor of Item #2:

- Robert Buck, Bond Counsel for IDA
- Martin Gross, Counsel for PSNH
- Bruce Wiggett, Treasurer of PSNH
- Marilyn Jewell, Executive Director of IDA

Tall Pines Joint Venture

EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD DECEMBER 19, 1990
IN THE COUNCIL CHAMBER, STATE HOUSE, CONCORD

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At 2:20 p.m. The Governor announced that the next matter to be considered would be the financing of an industrial facility project by the Industrial Development Authority for Tall Pines Joint Venture and Mediplex of New Hampshire, Inc. in Chesterfield and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received the written recommendation of the Authority and other documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Marilyn E. Jewell, Executive Director of the Authority, briefly explained the project, emphasized that the credit of the State was not involved and introduced

Dan Kane, Chief Financial Officer of Mediplex. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Spaulding introduced a resolution entitled "A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY BY THE INDUSTRIAL DEVELOPMENT AUTHORITY FOR TALL PINES JOINT VENTURE AND MEDIPLEX OF NEW HAMPSHIRE, INC. IN CHESTERFIELD" and moved its adoption, which was seconded by Councilor Burton. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilors Burton, Spaulding, Griffin, Rinker and Streeter; those abstaining were Councilor(s) None; and those voting against were Councilor(s) None. The Governor declared that the resolution was passed.

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A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING
OF AN INDUSTRIAL FACILITY BY THE INDUSTRIAL DEVELOPMENT
AUTHORITY FOR TALL PINES JOINT VENTURE
AND MEDIPLEX OF NEW HAMPSHIRE, INC. IN CHESTERFIELD

WHEREAS, the Governor and Council have received from the Industrial Development Authority (the "Authority") its written recommendation that the Governor and Council make certain findings and a determination pursuant to RSA 162-I:9 with respect to the financing of an industrial facility for Tall Pines Joint Venture (the "Borrower") in Chesterfield by the Authority's issue of \$2,400,000 Bonds under RSA 162-I (the "Act");

WHEREAS, the Governor and Council have received all the documentation and information with respect to the transaction which they have requested; and

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

IT IS HEREBY RESOLVED THAT:

Section 1. Findings. On the basis of the Authority's recommendation and the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special findings:

(1) The Project (which when completed will constitute the "Facility") consists of installation and construction of a waste water treatment system at Spofford Hall located at Route 9A in the Town of Chesterfield which is owned by the Borrower and used by Mediplex of New Hampshire, Inc. (the "User") for the treatment of people with chemical dependency. The Project is within the definition of "Industrial facility" in RSA 162-I (the "Act") and may be financed under the Act.

(2) The establishment and operation of the Facility will enhance the state's physical environment.

(b) General findings:

(1) The Project and the proposed financing of the Project are feasible;

(2) The Borrower and the User have the skills and financial resources necessary to operate the Facility successfully;

(3) The LOAN AND TRUST AGREEMENT (which is a combined financing document and security document, hereinafter called

the "Agreement") contains provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay project costs, debt service or expenses of operation, maintenance and upkeep of the Facility except from Bond proceeds or from funds received under the Agreement, exclusive of funds received thereunder by the Authority for its own use;

(4) The Agreement does not purport to create any debt of the State with respect to the Facility, other than a special obligation of the Authority acting on behalf of the State under the Act; and

(5) The proposed financing of the Project by the Authority and the proposed operation and use of the Facility will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social 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.

Section 2. Ultimate Finding and Determination. The Governor and Council find that the proposed financing, operation and use of the industrial Facility will serve a public use and provide a public benefit; and the Governor and Council determine that the Authority's financing of the Project will be within the policy of, and the authority conferred by, the Act.

Section 3. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the transaction as may be required.

Section 4. Effective Date. This resolution shall take effect upon its passage.

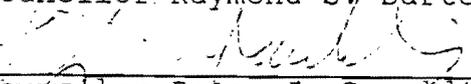
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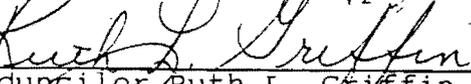
Governor Judd Gregg



Councilor Raymond S. Burton



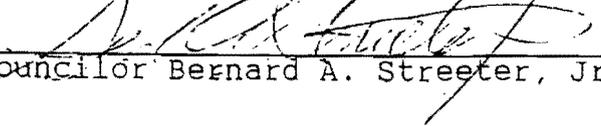
Councilor Peter J. Spaulding



Councilor Ruth L. Griffin



Councilor Earl A. Rinker, III



Councilor Bernard A. Streeter, Jr.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD DECEMBER 19, 1990
IN THE COUNCIL CHAMBER, STATE HOUSE, CONCORD

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At 2:23 P.M. The Governor announced that the next matter to be considered would be the financing of an industrial facility project by the Industrial Development Authority for Public Service Company of New Hampshire in Seabrook and declared that the public hearing on the matter would now commence. He said that he and the members of the Council had received the written recommendation of the Authority and other documentation and information with respect to the project. The Governor said that the meeting would hear anyone wishing to speak on the subject.

The Governor then recognized Marilyn E. Jewell, Executive Director of the Authority, and asked her to summarize the proposed financing. Mrs. Jewell stated that the Authority is requesting that the Governor and Council approve and make the statutorily required findings under RSA 162-I:9 with respect to the issuance of up to \$527,590,000 in solid waste disposal and pollution control revenue bonds for Public Service Company of New Hampshire. She stated that proceeds of the bonds are to be used to finance Public Service Company of New Hampshire's approximately 35.6% share of certain pollution control, sewage and solid waste disposal facilities, including facilities for the disposal of radioactive waste, for Unit 1 at the nuclear electric power generating station in Seabrook, New Hampshire.

She also stated that, under no circumstances, does the financing create any debt of the State with respect to the facility nor is the financing an obligation of the Industrial Development Authority. The bonds must be paid by the borrower, Public Service Company of New Hampshire.

She said the 1990 bonds would be comprised of 5 series, A through E. Series A, B and C would be tax-exempt and Series D and E will be taxable. An irrevocable transferable letter of credit will be delivered by Citibank, N.A. for the benefit of the holders of the taxable Series D and E bonds. Separate loan and trust agreements will be executed by the Authority, Public Service and the Trustee, State Street Bank and Trust Company, for each series of bonds.

Mrs. Jewell further stated that the form and amount of bonds are to be as follows:

First, the Series A tax-exempt bonds total \$66,090,000 and would use \$11,090,000 from 1985 pollution control carryforward and \$55,000,000 from 1990 private activity bond limit for pollution control.

Second, the tax-exempt Series B bonds would refinance \$20,000,000 in bonds issued in 1983 and \$100,000,000 in bonds issued in 1986. Both bond issues were for pollution control facilities. The tax-exempt Series C bonds are to refinance \$112,500,000 in pollution control and solid waste disposal bonds issued in December 1989. The two refunding bonds do not use private activity bond limit.

Third, the taxable Series D and E pollution control bonds would be issued in the amounts of \$114,500,000 each. The taxable bonds also do not use private activity bond limit.

She also noted the new 1990 tax-exempt Series A bonds and the taxable Series D and E bonds were being requested to reimburse the company for costs of the project not previously financed through the Authority.

Mrs. Jewell said the security for both the 1990 tax-exempt and taxable bonds would be Public Service Company's first mortgage bonds in a principal amount and with an interest rate and a maturity equal to the principal amount, interest rate and maturity of the bonds which will be delivered to the Trustee, State Street Bank and Trust Company.

She stated the tax-exempt bonds would earn interest at a fixed rate not to exceed 12% and the rate would be determined at the time the bonds are sold. The taxable bonds will carry adjustable interest rates for various rate periods and may be converted from a flexible mode, weekly mode or multi-annual mode with an option to convert the bonds to a fixed rate for the remainder of their term. The adjustable interest rates for the taxable bonds are secured by a letter of credit and are subject to a maximum rate of 16% as covered by the letter of credit. All of the bonds are payable not later than September 1, 2021 and Goldman, Sachs & Co. and Morgan Stanley & Co. will underwrite and remarket the bonds.

Mrs. Jewell introduced Bruce Wiggett, Treasurer of Public Service Company, and Attorney Martin Gross of Sulloway, Hollis & Soden, counsel for Public Service Company.

The Governor then recognized Mr. Bruce Wiggett, Treasurer of Public Service Company, and asked whether he could provide figures on savings expected if the bonds were approved. Mr. Wiggett estimated that the savings over conventional financing would be in the vicinity of \$6,000,000 per year. Since the rate agreement had a term of 7 years and the bonds are expected to have a term of 30 years, he said there would be 23 years during which approximately \$156,000,000 in savings would pass through to the customers.

The Governor then repeated that this is a public hearing and asked if any members of the public wished to be heard.

The Governor recognized Mr. Robert Cushing, Jr. Mr. Cushing stated that he was the Executive Director of the Campaign for Ratepayer's Rights. He urged that the Governor and Council not approve the bond issues and stated there are questions of law which should prevent their issue. Mr. Cushing also questioned why the Trustee was not a New Hampshire bank.

Councilor Rinker addressed the question to Mrs. Jewell who responded the company decides who will be the trustee and noted that according to statute, only New Hampshire and Massachusetts banks can act as trustee in the IDA bond issues. Attorney Robert W. Buck of Palmer & Dodge, bond counsel for the Authority, stated it was difficult to use a New Hampshire bank for a transaction of the complexity of the Public Service financing. Councilor

Spaulding commented that the Authority now requires facilities financed under its programs to be handicapped accessible and could require the financings be done by New Hampshire banks. Mrs. Jewell stated she would bring the Councilors' concern to her Directors' attention.

The Governor recognized Larry Converse of New Hampshire Citizen Action, who stated he hoped the Governor and Councilors would not help Public Service Company and showed a chart representing the financings for the Seabrook project over the years. The Governor recognized Bob Stouffer who presented a graphic backup for Mr. Converse of funding through the Industrial Development Authority for the Seabrook project. The Governor then recognized John Cloutier of New Hampshire Citizen Action, who stated the Authority should concentrate on financing other projects like the redevelopment of Pease, helping James River in the North Country, or loaning money to reopen two rail lines from Boston. Councilor Streeter asked Mr. Cloutier if he was aware that the Authority could not finance those types of projects and recommended Mr. Cloutier familiarize himself with the Authority's statutory powers. Councilor Streeter also stated that the Authority had an enviable record for financing industrial projects through the years. Mr. Cloutier presented the Governor and Council with a petition that bonding authority be used to create jobs and economic development.

The Governor recognized Senator Beverly Hollingworth who commented on the Authority's bond counsel and said she supported the statements made by Mr. Cushing.

The Governor then asked if anyone else wished to speak. Mr. Cushing stated the Council should bear in mind that the federal treasury is deprived of tax revenue when these bonds are issued and he said the loss to the federal treasury would be approximately \$600,000,000. The Governor replied he would rather subsidize our ratepayers than some midwestern grain growers, which is where the money would end up.

The Governor again asked if anyone else wished to speak. No one responded.

Councilor Rinker asked Mrs. Jewell if this project would use any of the 1987 private activity carryforward which expires on December 31, 1990. Mrs. Jewell stated that the delay caused by the petition of the Campaign for Ratepayers Rights prevented Public Service Company of New Hampshire from using any of the 1987 carryforward because their bonds would probably not be issued until March 1991.

At that time Councilor Rinker introduced a resolution entitled "A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF INDUSTRIAL FACILITIES BY THE INDUSTRIAL DEVELOPMENT AUTHORITY FOR PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE IN SEABROOK" and moved its adoption, which was seconded by Councilor Streeter. The Governor asked if the Councilors wished to discuss the resolution further and then called for a vote on the motion. Those voting in favor were The Governor and Councilors Burton, Spaulding, Griffin, Rinker and Streeter. No Councilors abstained or voted against the motion. The Governor declared that the resolution was passed.

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A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF INDUSTRIAL FACILITIES BY THE INDUSTRIAL DEVELOPMENT AUTHORITY FOR PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE IN SEABROOK

WHEREAS, the Governor and Council have received from the Industrial Development Authority (the "Authority") its written recommendation that the Governor and Council make certain findings and a determination pursuant to RSA 162-I:9 with respect to the financing of pollution control, sewage and solid waste disposal facilities for Public Service Company of New Hampshire ("the Borrower") in Seabrook by the Authority's issue of three tax-exempt series of industrial facility revenue bonds, not exceeding \$66,090,000, \$120,000,000 and \$112,000,000 in aggregate principal amount, respectively, and two taxable series of industrial facility revenue bonds not exceeding \$114,500,000 each in aggregate principal amount, under RSA 162-I (the "Act");

WHEREAS, the Governor and Council have received all the documentation and information with respect to the transactions which they have requested; and

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

IT IS HEREBY RESOLVED THAT:

Section 1. Findings. On the basis of the Authority's recommendation and the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings:

(1) The project consists of the Borrower's approximately 35.6% share of certain pollution control sewage, and solid waste disposal facilities, including facilities for the disposal of radioactive waste, for Unit 1 of the nuclear electric generating station operated by the Borrower and located adjacent to U.S. Route 1 in the Town of Seabrook, New Hampshire (the "Project"). The two taxable series of bonds in aggregate principal amounts not exceeding \$114,500,000 each and the tax-exempt series of bonds not exceeding \$66,090,000 in aggregate principal amount are to be issued to finance costs not previously financed through the Authority. The two tax-exempt series of bonds in aggregate principal amounts not exceeding \$120,000,000 and \$112,500,00, respectively, are to be issued to refund a like principal amount of bonds previously issued by the Authority for the benefit of the Borrower. The Project is within the definition of "Industrial facility" in RSA 162-I and may be financed under the Act.

(2) The establishment and operation of the Project will create and preserve employment opportunities directly or indirectly within the State of New Hampshire (the "State") and help to protect and enhance the State's physical environment.

(b) General Findings:

(1) The Project and the proposed financing of the Project are feasible;

(2) The Borrower has the skills and financial resources necessary to operate the Project successfully;

(3) The Loan and Trust Agreements for each series of Bonds among the Authority, the Borrower and State Street Bank and Trust Company, as Trustee (the "Agreements"), contain provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay project costs, debt service or expenses of operation, maintenance and upkeep of the Project except from bond proceeds or from funds received under the Agreements, exclusive of funds received thereunder by the Authority for its own use;

(4) The Agreements do not purport to create any debt of the State with respect to the Project, other than a special obligation of the Authority acting on behalf of the State under the Act; and

(5) The proposed financing of the Project by the Authority and the proposed operation and use of the Project will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social 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.

Section 2. Ultimate Finding and Determination. The Governor and Council find that the proposed financing, operation and use of the Project will serve a public use and provide a public benefit; and the Governor and Council determine that the Authority's financing of the Project will be within the policy of, and the authority conferred by, the Act.

Section 3. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the transactions as may be required.

Section 4. Effective Date. This resolution shall take effect upon its passage.

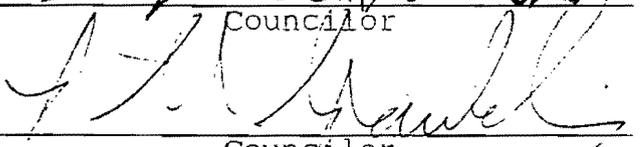
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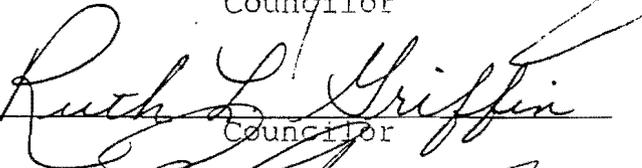
The Governor



Councillor



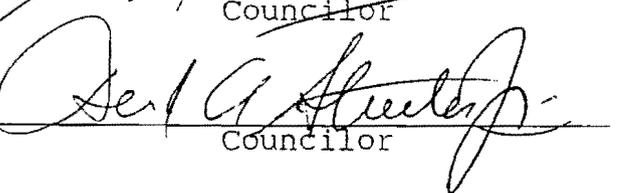
Councillor



Councillor



Councillor



Councillor

#3. The Governor and Council, on motion of Councilor Rinker, seconded by Councilor Streeter, authorized Resolution under RSA 162-I:9 with respect to financing industrial facilities by the Authority for EUA Power Corporation in Seabrook for solid waste disposal revenue bonds of up to \$22,500,000. A roll call vote was taken the results are as follows:

- Councilor Burton - yes
- Councilor Spaulding - no
- Councilor Griffin - yes
- Councilor Rinker - yes
- Councilor Streeter - yes

See Pages 22-I, (#3-A thru #3-H)

The following individuals spoke against Item #3:

- Senator Beverly Hollingsworth
- New Hampshire Citizen Action
- Kate McGovern
- Bob Stouffer
- Campaign for Ratepayers Rights
- Robert Cushing, Jr.

The following individuals spoke in favor of Item #3.

- Basil Pallone, Assistant Treasurer of EUA
- Wilbur A. Glahn, III Attorney representing EUA
- Marilyn E. Jewell, Executive Director of IDA

#4. The Governor and Council, on motion of Councilor Rinker, seconded by Councilor Streeter, authorized increasing authorization from \$7,000 to \$12,000 to pay expenses from the accumulated surplus of the Industrial Development Authority related to hiring a presiding officer, recording and transcribing hearings to consider and formulate a recommendation to the Governor and Council on applications for the Seabrook Project in accordance with RSA 162-A and RSA 162-I.

GOVERNOR'S OFFICE

The Governor and Council acted as follows:

ITEMS #5 - #25. Signify agreements with recipients of funds from the Governor's Drug Free Schools Program for 1990-1991 effective through September 30, 1991.

#5. Authorized \$9,700 to Central New Hampshire Community Mental Health Services, Inc. of Concord to train peer counselors.

#6. Authorized \$10,000 to Appalachian Mountain Teen Project of Wolfeboro for a primary prevention/intervention project.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD DECEMBER 19, 1990
IN THE COUNCIL CHAMBER, STATE HOUSE, CONCORD

* * * * *

At 3:07 P.M. The Governor announced that the next matter to be considered would be the financing of an industrial facility project by the Industrial Development Authority for EUA Power Corporation in Seabrook and declared that the public hearing on the matter would now commence. He said that he and the members of the Council had received the written recommendation of the Authority and other documentation and information with respect to the project. The Governor said that the meeting would hear anyone wishing to speak on the subject.

Marilyn E. Jewell, Executive Director of the Authority, briefly explained the project, emphasized that the credit of the State was not involved and introduced Basil Pallone, Assistant Treasurer of EUA Power Corporation, and Attorney Wilbur A. Glahn III of McLane, Graf, Raulerson & Middleton, counsel for EUA Power.

Councilor Spaulding asked Mr. Pallone what the difference would be between open market versus tax-exempt rates. Mr. Pallone replied between two to three hundred basis points or roughly \$300,000 to \$500,000 annually on a \$22,000,000 bond issue. Councilor Spaulding also questioned the ultimate finding and determination that the facility will serve a public use to provide a public benefit. Attorney Glahn responded the facilities are identical to the facilities considered previously for the Public Service Company bonds and that EUA Power, as an owner of Seabrook, pays its 12% share of the operating costs of Seabrook and pays 12%

of the operating payroll, maintenance payroll, et cetera, of the entire plant.

Councilor Spaulding questioned the corporate structure of the company and asked what other assets EUA owned other than its interest in Seabrook. Mr. Glahn stated EUA owned no other assets. Mr. Pallone said EUA Power was wholly-owned by Eastern Utilities Associates which is a utility holding company regulated by the Securities and Exchange Commission. Attorney Glahn stated the EUA application differed from that of Public Service Company because (1) the bond offering was solely for solid waste, (2) the volume cap requested was from 1987 carryforward which expires on December 31, 1990 and, (3) there were no other applicants for this volume capacity.

Councilor Spaulding said that he was most uneasy with EUA Power's parent company tender offer for Unitil which owns Concord Electric Company and Exeter/Hampton Electric Company. He asked for clarification on the issue raised that proceeds from the bonds would be used for the acquisition of Unitil Corporation. Attorney Glahn replied that testimony was offered to the Public Utilities Commission that none of these funds would be used to finance any part of the tender offer and the PUC found that the financing was in the public good.

Councilor Spaulding questioned the financial condition of all the corporations and stated if there were no reduced interest costs, it would seem additional funding would have to come from the parent company, Eastern Utilities. Councilor Spaulding also stated

he failed to see any benefit whatsoever to the residents of the Concord area, or New Hampshire in general, of lower rates when they are not customers of Eastern Utilities. Mr. Pallone noted that any savings achieved by the financing would be passed on to the ultimate ratepayer, in effect helping New Hampshire and all of New England, because it strengthens the New England power pool.

The Governor recognized Senator Hollingworth who stated she was appearing on behalf of the voters in her district, the employees of Unitil, Exeter/Hampton Electric, elected officials in different communities and several citizens in her district, who asked her to convey their feelings on the bond issue. She stated there were no solid waste facilities going on at Seabrook and the project did not qualify under requirements of the state or federal government for a solid waste facility. The company had no customers or ratepayers in New Hampshire. She expressed her concern that the financing would make EUA healthier and take jobs away from the utility serving New Hampshire ratepayers. She reviewed how EUA bought into the Seabrook project and stated the bonds would bail the company out of their ill conceived purchase.

The Governor recognized Kate McGovern of New Hampshire Citizen Action who stated, in addition to points previously made, she did not think an out-of-state corporation would sue one of New Hampshire's state Senators for standing up for her constituents. Attorney Glahn briefed the Governor and Council on his clients actions before the court and that no damages or injunctive relief were sought in the law suit.

The Governor asked if there were any further comments and recognized Mr. Cushing, who stated he was commenting on the inspiration of smoke and mirrors when he heard Councilor Spaulding discussing the possible financing arrangements of Eastern Utilities Associates versus EUA Power Corporation. He stated he simply wanted to encourage the Council to say enough is enough and he couldn't understand how any benefit was going to be realized from the financing.

Councilor Rinker asked Mrs. Jewell if the bonds could be held over. She stated the capacity would be lost and that the \$22,500,000 would indirectly benefit New Hampshire customers because the viability of the plant insures available electricity to Public Service's 380,000 customers.

The Governor recognized Bob Stouffer from Exeter. Mr. Stouffer said he would like to communicate to the Governor and Council the anger of citizens of Exeter and the surrounding towns that are well served by Unitil. Senator Hollingworth was recognized and she stated again that she was sued as a Representative for merely writing a letter to the IDA opposing the bond issue and that it had cost her considerable money for serving her constituents.

The Governor asked if there were any further comments on the matter. There being none, Councilor Griffin introduced a resolution entitled "A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF INDUSTRIAL FACILITIES BY THE INDUSTRIAL DEVELOPMENT AUTHORITY FOR EUA POWER CORPORATION IN SEABROOK" and moved its adoption, which was seconded by Councilor Streeter. The Governor asked if the Councilors wished to discuss the resolution further and then called for a vote on the motion. Those voting in favor were The Governor and Councilors Burton, Griffin, Rinker and Streeter. Councilor Spaulding voted against the motion. The Governor declared that the resolution was passed.

* * * * *

A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF INDUSTRIAL FACILITIES BY THE INDUSTRIAL DEVELOPMENT AUTHORITY FOR EUA POWER CORPORATION IN SEABROOK

WHEREAS, the Governor and Council have received from the Industrial Development Authority (the "Authority") its written recommendation that the Governor and Council make certain findings and a determination pursuant to RSA 162-I:9 with respect to the financing of solid waste disposal facilities for EUA Power Corporation ("the Borrower") in Seabrook by the Authority's issue of industrial facility revenue bonds, not exceeding \$22,500,000 in aggregate principal amount, under RSA 162-I (the "Act");

WHEREAS, the Governor and Council have received all the documentation and information with respect to the transaction which they have requested; and

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

IT IS HEREBY RESOLVED THAT:

Section 1. Findings. On the basis of the Authority's recommendation and the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings:

(1) The Project (which as completed constitutes the "Facility") consists of the Borrower's approximately 12.1% share of the solid waste disposal facilities at the Seabrook nuclear electric generating plant located adjacent to U.S. Route 1 in Seabrook, New Hampshire (the "Station"). These facilities include spent fuel facilities and solid radioactive waste

systems. The Project is within the definition of "Industrial facility" in RSA 162-I and may be financed under the Act.

(2) The establishment and operation of the Facility will create and preserve employment opportunities directly or indirectly within the State of New Hampshire and will protect and enhance the State's physical environment.

(b) General Findings:

(1) The Project and the proposed financing of the Project are feasible;

(2) The Borrower has the skills and financial resources necessary to operate the Facility successfully;

(3) The Loan and Trust Agreement among the Authority, the Borrower and Shawmut Bank, N.A., as Trustee (the "Agreement"), contains provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay project costs, debt service or expenses of operation, maintenance and upkeep of the Facility except from bond proceeds or from funds received under the Agreement, exclusive of funds received thereunder by the Authority for its own use;

(4) The Agreement does not purport to create any debt of the State with respect to the Facility, other than a special obligation of the Authority acting on behalf of the State under the Act; and

(5) The proposed financing of the Project by the Authority and the proposed operation and use of the Facility will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social or

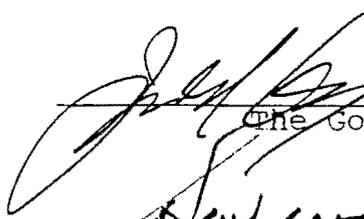
economic prosperity of the State and one or more of its political subdivisions, and will promote the general welfare of the State's citizens.

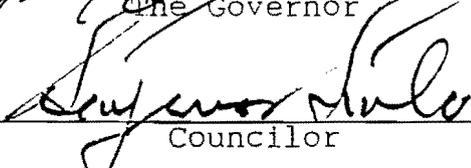
Section 2. Ultimate Finding and Determination. The Governor and Council find that the proposed financing, operation and use of the Facility will serve a public use and provide a public benefit; and the Governor and Council determine that the Authority's financing of the Project will be within the policy of, and the authority conferred by, the Act.

Section 3. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the transaction as may be required.

Section 4. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to December 19, 1990.



The Governor


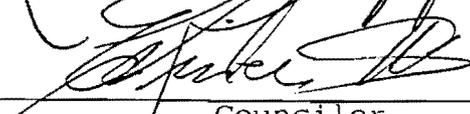
Councilor

No

Councilor



Councilor



Councilor



Councilor

- #7. Authorized \$6,440 to Manchester City School Department funding Central High School's Suspension Alternative Series program.
- #8. Authorized \$10,000 to Youth Services, Inc. of the Monadnock Region in Keene funding an expressive arts approach to group therapy "The Acting Out Program."
- #9. Authorized \$10,000 to Milford School District for a collaborative prevention/intervention program.
- #10. Authorized \$8,500 to Milford School District for an early, during the first six years of life, intervention program.
- #11. Authorized \$3,675 to Nashua School District for Ledge Street Elementary School children of alcoholic parents/guardians.
- #12. Authorized \$7,350 to Nashua School District for Amherst Elementary School's weekly groups of students with parents or guardians with alcohol/drug problems.
- #13. Authorized \$8,970 to A.D.A.P.T., Inc. of Woodstock a unique drug/alcohol prevention, intervention and aftercare program.
- #14. Authorized \$8,615 to The Upper Room, Education for Parenting, Inc. of Derry for an activity based program designed for 10 to 14 year old children, judged to be "at risk."
- #15. Authorized \$30,000 to SOLVE, Inc. of Atkinson for four Lions/Quest Skills workshops for teachers.
- #16. Authorized \$9,400 to SAU #30, Gilford School District for Gilford Middle-High School Youth-At-Risk-Drug/Alcohol Education Program.
- #17. Authorized \$69,128 to the New Hampshire Department of Safety for state wide D.A.R.E. (Drug Abuse Resistance Education) prevention program.
- #18. Authorized \$9,520 to Conway School District for substance abuse prevention program "Conway At Risk."
- #19. Authorized \$6,000 to New Hampshire Teen Institute, Inc. of Concord for Teen Leadership Connection state wide prevention conference.
- #20. Authorized \$9,540 to Monadnock Family Service of Keene for continuation and augmentation of adolescent substance abuse prevention project.
- #21. Authorized \$7,909 to City of Dover, NH Human Services Department for DUTY Program which addresses drug issues for youth referred by the court, police, schools and juvenile service officers.

#22. Authorized \$17,490 to New Hampshire AFL-CIO EAP Services, Inc. of Pembroke for primary prevention services.

#23. Authorized \$20,000 to Greater Manchester Family YMCA for the YMCA's S.T.A.Y. (Support, Tutoring, and Adventures for Youth) program.

#24. Authorized \$3,240 to New Hampshire Office of Alcohol and Drug Abuse Prevention Program for The Challenge Course Facilitators Training, a two day event targeted to both individuals/groups of potential providers.

#25. Authorized \$5,000 to New Hampshire Office of Alcohol and Drug Abuse Prevention for a One Day Conference entitled "Parents are the First Teachers."

#26. Authorized the transfer of \$27,807 as specified in an undated letter. Approved by the Fiscal Committee in letter dated December 3, 1990.

#27. Not used.

#28. Not used.

#29. Not used.

DEPARTMENT OF STATE

#30. The Governor and Council, on motion of Councilor Streeter, seconded by Councilor Burton, accepted and placed on file the Department of State Annual Report 1990.

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

Division of State Police

#31. Authorized acceptance of \$41,471.02 in federal funds from the NH Highway Safety Agency to be used to augment the normally assigned patrols on enforcement of the 55/65 MPH speed limits, effective through September 15, 1991.

#32. Authorized acceptance of \$17,490 in federal funds from the NH Highway Safety Agency to be used for aerial enforcement of the 55/65 MPH speed limits, effective through September 15, 1991.

#33. Authorized acceptance of \$9,240 in federal funds from the NH Highway Safety Agency to provide for one radar equipped motorcycle, effective through September 15, 1991.

#34. Authorized acceptance of \$3,300 in federal funds from the NH Highway Safety Agency to purchase (80) eighty Surge Arrestors for the Intoxilyzers 5000, effective through September 15, 1991.

Commissioner's Office

#35. Authorized an agreement with] of the Lakes Region, Laconia at \$4,500 for janitorial services for the Division of Safety Services, Marine Patrol Building in Glendale, effective through June 30, 1991.

#36. Authorized AMENDING agreement RETROACTIVE to July 1, 1990 with Joseph Ferretti of Duxbury, Massachusetts at \$12,900 to provide up to 30 additional seminars on fuel efficient driving for school bus drivers and public and private fleet drivers.

Division of Fire Services

#37. Authorized agreement with the National Criminal Justice Association at \$2,000 to be used to coordinate a Technical Assistance Workshop for the Community Volunteer Fire Prevention Program and authorized a contract with Hampton Inn of Concord at \$1,800 for catering services and room rental from January 3-4, 1991.

Division of State Police

#38. Authorized a contract with Auto Damage Appraisers of Concord for appraisal work of damaged Department vehicles at \$50 per accident, for less than total loss and \$65 per total loss.

#39. Not used.

GOVERNOR'S ENERGY OFFICE

The Governor and Council acted as follows:

ITEMS #40 - #52. Signify agreements with recipients of Energy Conservation Grants for Nonprofits Program a program which targets organizations that provide services to low-income elderly, handicapped, substance abuse clients and other human service nonprofit groups, to enable their ability to utilize available resources by lowering energy costs by providing specific energy conservation measures effective through June 30, 1991.

#40. Authorized \$6,100 to St. Patrick Church of Twin Mountain to install oil burner, storm windows and weatherstrip doors.

#41. WITHDRAWN BY AGENCY - Authorize \$10,000 to Franklin Area Community Land Trust, Inc. of Tilton for insulation and replacement windows.

#42. Authorized \$6,220 to the First Congregational Church Barrington to install automatic door closers, set-back thermostats, insulation and weatherstripping.

#43. Authorized \$3,279 to Frederick H. Hooper Institute of Walpole for insulation.

#44. Authorized \$10,000 to Strawberry Banke of Portsmouth for storm windows.

#45. Authorized \$3,100 to Litchfield Community Church Presbyterian to replace burner, install and add furnace, install set-back thermostat.

#46. Authorized \$10,000 to St. Matthew Rectory and Church of Whitefield for lighting retrofit, oil burner replacement, rezoning hot water system and insulation.

#47. Authorized \$10,000 to Saint Anthony Church of Manchester for insulation and weatherstripping.

#48. Authorized \$10,000 to Congregational Church of Temple for insulation and flue fans.

#49. Authorized \$6,615 to Fitzwilliam Baptist Church for insulation and storm windows.

#50. Authorized \$7,684 to Goffstown Congregational Church for insulation, ceiling fans and weatherstripping doors.

#51. Authorized \$2,660 to Keene Day Care Center, Inc. to replace radiator valves, install set-back thermostats, caulking and weatherstripping.

#52. Authorized \$2,962 to Dublin Community Church for storm windows, caulking and weatherstripping.

#53. Authorized AMENDING agreement with Berlin Water Works involving the installation of hydroturbines at an existing pressure reducing valve, AMEND by extending completion date through December 31, 1991 at no additional cost.

ITEMS #54 - #58. Signify contracts with recipients in the Technical Assistance phase of the Units of Local Government Program to provide funding for detailed energy studies of municipal buildings which will identify energy conservation measures that will provide long-term and significant energy savings.

#54. Authorized \$1,950 to the Town of Marlborough for energy study of the Town Hall/Fire Station.

#55. Authorized \$1,500 to the Town of Boscawen for energy study of the Town Fire Station.

#56. Authorized \$850 to the Town of Dublin for energy study of the Equipment Repair Facility.

#57. Authorized \$30,310 to the City of Portsmouth for energy study of multiple city buildings, i.e. the Red Brick School House, PWD Office and Maintenance, City Yard Building, Boiler House, 1985 Building, Seybolt Building, the Madbury Treatment Plant, the Sherburne Complex, etc.

#58. Authorized \$2,100 to the Town of Bedford for energy study of the Town Hall and Police Department.

#59. Authorized Memorandum of Agreement with the Department of Transportation as a grant recipient of \$25,000 under Appropriate Technology Demonstration Grants, Innovation in Conservation program for a Highway Lighting Conservation project effective through December 31, 1991.

#60. Authorized a contract with Dubuis & King, Inc. of Nashua at \$100,000 for FY'1991 to provide professional engineering services by performing energy audits on selected state buildings under the State Building Conservation Program effective through September 30, 1991.

#61. Authorized a contract with Wilson Educational Services, Inc. of Cheshire, Connecticut at \$3,000 to train teams of teachers and students to identify ways to reduce energy waste in their schools effective through June 30, 1991.

HUMAN RESOURCES

#62. The Governor and Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized AMENDING contract with Tri-County Community Action Program, Inc. of Berlin at \$2,807 to provide an on-going alcohol and drug education prevention program in the Berlin and Gorham School Districts.

EMERGENCY MANAGEMENT

#63. The Governor and Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized a contract with Wright Communications, Incorporated of Concord at \$10,000 to provide repair, maintenance and modification of NHOEM communications systems effective through January 1, 1991 through December 31, 1991.

OFFICE OF STATE PLANNING

The Governor and Council acted as follows:

#64. Authorized an agreement with George Packard of Warner at \$1,600 to prepare a written summary of Squam Lakes Watershed Plan effective through February 28, 1991.

#65. Authorized an agreement with I.E.P., Inc. of Portsmouth and Northborough Massachusetts at \$10,000 provided by the State Port Authority and the Office of State Planning for the purpose of preparing harbor management plans and conducting a study of the feasibility of leasing submerged lands effective through April 30, 1991.

#66. Authorized an agreement with the City of Keene at \$120,000 from the Community Development Block fund which will provide funding to establish a social services mall in the downtown area to facilitate access of clients to various social services offered in the area and to install chairlifts for elderly and handicapped residents of a public housing project effective through December 31, 1991.

#67. Authorized an agreement with the Town of Hinsdale at \$350,000 from the Community Development Block fund to provide funds for a revolving loan fund for the Hinsdale Commercial and Industrial Development Corporation to finance construction of a manufacturing facility for Continental Industries Incorporated, DBA Continental Cable Company effective through June 30, 1992.

ITEMS #68 - #89. Signify agreements with recipients of funds from the Governor's Recycling Program to be used to expand local recycling programs as a method of solid waste disposal, financing assistance is in the form of a 50% percent matching grant up to the amount of eligible capital costs, effective through December 19, 1991.

#68. Authorize \$6,750 to the Town of Lancaster for the purchase of a downstroke baler and constructing concrete recycling bins.

#69. Authorized \$10,000 to the City of Berlin for the purpose of purchasing 5,000 curbside collection boxes.

#70. Authorized \$2,500 to the Town of Littleton for the purpose of purchasing a storage trailer to expand the town's mandatory recycling program. (Replacement Item)

#71. Authorized \$7,000 to the City of Laconia for the purpose of purchasing 860 curbside recycling containers and two roll off containers.

#72. Authorized \$5,625 to the Town of Canaan for the purpose of purchasing one 30 yard roll off container and two single compartment roll off containers.

#73. Authorized \$10,000 to the Town of Meredith for the purpose of constructing a recycling building.

#74. Authorized \$5,000 to the Town of Sunapee for the purpose of purchasing a downstroke baler.

#75. Authorized \$4,400 to the Town of Wilmot for the purchase of a trailer and recyclable bags for the mandatory recycling program.

#76. Authorized \$4,500 to the Town of Washington for the purpose of purchasing a downstroke baler.

#77. Authorized \$860 to the Town of Bradford for the purpose of constructing a 40' x 48' loading ramp at the transfer station.

#78. Authorized \$10,000 to the Town of Deerfield for the purpose of constructing a building as a recycling facility.

#79. Authorized \$25,000 to the Sullivan County Regional Refuse Disposal District in Claremont for the purpose of purchasing thirteen roll off containers.

#80. Authorized \$7,000 to the Town of Rollinsford for the purpose of constructing a building for a recycling facility.

#81. Authorized \$1,800 to the Town of Exeter for the purpose of purchasing two storage trailers.

#82. Authorized \$10,000 to the Town of Barrington for the purpose of purchasing a waste oil furnace and a downstroke baler.

#83. Authorized \$9,650 to the Town of Farmington for the purpose of expanding a voluntary recycling program.

#84. Authorized \$25,000 to the Town of Derry for the purpose of purchasing a horizontal baler.

#85. Authorized \$5,000 to the Town of New Ipswich for the purpose of purchasing a baler and waste oil furnace.

#86. Authorized \$25,000 to the City of Nashua for the purpose of purchasing a specialized vehicle for the collection of mixed recyclable items from the city schools.

#87. Authorized \$7,400 to the Town of Hinsdale for the purpose of purchasing a forklift loader.

#88. Authorized \$10,000 to the Town of Merrimack for the purpose of purchasing 5,000 residential recycling containers.

#89. Authorized \$25,000 to the City of Keene for the purpose of purchasing a waste oil storage tank and furnace, a conveyor system and a skid steer loader.

#90. Authorized \$10,000 to the City of Somersworth for the purchase of a vertical baler, used forklift and trailer box.

#91. Authorized \$3,000 to the Town of Haverhill for the purchase of a waste oil furnace to be used at the town garage as main source of heat.

#92. Not used.

LAND CONSERVATION INVESTMENT PROGRAM

The Governor and Council acted as follows:

#93. Authorized the protection of 223 acres of land fronting the Bearcamp River in Tamworth at \$130,000 to be paid to Alice Bemis Thompson Trust to acquire a fee simple interest.

#94. Authorized the protection of four parcels of land totalling 1075.90 acres in Plainfield at \$265,000 to be paid in the form of two checks, one check in the amount of \$200,000 jointly payable to the Town of Plainfield and Mrs. Dorothy Goodwin of Lebanon and the second check jointly payable to the Town of Plainfield and Stanley and Mariann Goslovich of Concord, Massachusetts.

#95. Authorized the protection of three parcels of land totalling 53.9 acres in Keene at \$62,000 to be paid in the form of two checks, one check in the amount of \$12,000 jointly payable the City of Keene and Herbert B. Shaw, III and Ms. Emily Thurston Shaw and the second check jointly payable to the City of Keene and Christina Bauer in the amount of \$50,000.

#96. Authorized a RETROACTIVE agreement with Attorney Barbara B. Dehart of Rochester at \$800 for title work and other consulting services required to execute real estate acquisitions in Farmington.

#96-a. Authorized a RETROACTIVE agreement with Attorney James E. Morris of Orr & Reno Offices in Concord at \$4,800 for title work and other consulting services required to execute real estate acquisitions in Newbury.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

Commissioner's Office

#97. Authorized extending four temporary employees beyond the one year anniversary dates of full-time employment as indicated in letter of September 21, 1990.

#98. Authorized extending five temporary employees beyond the one year anniversary dates of full-time employment as indicated in letter of October 19, 1990.

#99. Authorized payment of \$7,025.35 to White Mountain Attractions Association of North Woodstock for annual 1990/91 membership dues for the Cannon Mt. Aerial Tramway.

#100. Authorized contract with Franconia Ski Club to continue to provide youth racing programs at Cannon Mountain through December 1, 1992.

#100-a. Authorized payment of \$1,956 to New England Weather Service of Center Harbor for weather reporting services for Cannon Mountain and Mt. Sunapee from December 19, 1990 to April 15, 1991.

Division of Forest and Lands / DRED

#101. Authorized exchanging 20 acres of land at Litchfield State Forest with the Town of Litchfield for 14.5 acres of Town land abutting Litchfield State Forest and release the Town's tax deed interest to 22 acres within the State Forest.

Division of Parks and Recreation

#102. Authorized extending contract with State Park Services, Inc. of Franconia for souvenir sales at the Flume Visitor Center with the State receiving 30% of gross sales up to \$200,000 and 33% on sales over \$200,000 effective through November 1, 1995.

#103. Authorized extending contract with Theatre Confections, Inc. of Rochester, New York for food services at the Flume Visitor Center with the State receiving an increase from 7.52% to 15% on sales up to \$200,000 on gross sales and 10% on sales over \$200,000 effective through November 1, 1995.

#104. Authorized Bureau of Off Highway Vehicles to enter into a Grant in Aid contract with Littleton Off Road Riders at \$10,500 to purchase snow grooming equipment effective through February 14, 1991.

#105. Authorized Bureau of Off Highway Vehicles to lease for one year the Castle In The Clouds property located in Moultonboro from Richard S. Robie, Jr. and Donald S. Robie at \$6,000.

Division of Economic Development

#106. Authorized payment of \$1,200 to the Travel Industry Association of America for 1991 membership of the Office of Vacation Travel.

Commissioner's Office

#107. Authorized the transfer of \$374,175 as specified in letter dated November 15, 1990. Approved by the Fiscal Committee in letter of December 3, 1990.

FISH AND GAME DEPARTMENT

The Governor and Council acted as follows;

#108. Authorized the purchase of 74.2 acres of land in the Town of Springfield in the area known as McDaniel's Marsh, from Wilma Nocera at \$40,000 to protect waterfowl habitat and provide increased public access for hunting, trapping and fishing.

#109. Authorized to accept an additional \$3,500 from Federal Aid Sport Fish Restoration FY'90 funds to allow full utilization of the FY'91 Aquatic Education monies.

#110. Authorized extending contract with Group Five Communications for video training and the production of training and informational videos extended to March 31, 1991 the contract allows for use of \$2,000 from FY'90 and \$2,000 from FY'91.

#111. Authorized acceptance of \$25,195.17 in Federal Aid Sport Fish Restoration funds from the US Fish and Wildlife Service and authorized a contract the NH Agricultural Experiment Station, University of New Hampshire for a study entitled "Economic Impact and Perceptions of Fishing Quality: an Assessment of Sport Fishing in Coastal New Hampshire and Southern Maine" at \$25,170 effective through September 30, 1991.

AGRICULTURE DEPARTMENT

#112. The Governor and Council, on motion of Councilor Streeter, seconded by Councilor Burton, authorized Division of Pesticide Control to accept \$5,000 from EPA funds to assist the State with developing a plan and program for the protection of endangered species from any adverse effects of pesticides, effective through September 30, 1991.

ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

Commissioner's Office

#113. Authorized AMENDING a paging service contract by extending contract through June 30, 1993 at a decrease in cost per pager for a total of \$6,386 with Metromedia Paging Services of Manchester.

#114. Authorized blanket approval for out-of-state travel to Boston, Lexington and other locations in Massachusetts for more than one person through March 31, 1991 to attend routine meetings conducted by EPA and other environmental associations.

Water Supply & Pollution Control

#115. Authorized a contract with George L. Vercelli, P.E. of Merrimack at \$25,000 in federal funds to provide services related to the development of a stormwater management policy and stormwater control strategy effective through September 30, 1991.

#116. Authorized AMENDING contract with Water Chemistry, Inc. of Concord by increasing the number by eight (8) at \$48,000 increasing the total to 20 systems to supply, install and maintain individual POE treatment systems to supply acceptable source of potable water to injured third parties.

#117. Authorized continuing one Environmentalist II position and establish one Principal Planner position as specified in letter of November 16, 1990. Approved by the Fiscal Committee in letter dated December 3, 1990.

#118. Authorized establishing one Environmentalist II position as specified in letter of October 12, 1990. Approved by the Fiscal Committee in letter dated December 3, 1990.

#119. Authorized continuing one Environmentalist IV position through June 30, 1991 as specified in letter of November 8, 1990. Approved by the Fiscal Committee in letter dated December 3, 1990.

#120. Authorized to continue the following: one Assistant Planner, one Environmentalist III and one Word Processor Operator I through June 30, 1991 not September 30, 1991 as specified in letter dated November 21, 1990. Approved by the Fiscal Committee in letter dated December 3, 1990.

Waste Management

#121. Authorized a contract with Metcalf & Eddy Services, Inc. of Wakefield, Massachusetts at \$460,194 for operation of groundwater treatment facilities at the Gilson Road Hazardous Waste Site in Nashua effective from January 1, 1991 to March 7, 1991.

ATTORNEY GENERAL

The Governor and Council acted as follows:

#122. Authorized the appointment of Julie W. Howard as Assistant Attorney General effective December 19, 1990 at a salary of \$37,874 the Minimum Step in Group M, she is currently an Attorney II at a Labor Grade 25, Step 3 at \$34,905.

#122-a. Authorized the appointment of Walter L. Maroney as Assistant Attorney General effective December 24, 1990 with a salary of \$46,959 Step 4 in Group M, he is currently an Attorney III at Labor Grade 27, Maximum Step at \$39,391.50.

#122-b. Authorized the appointment of Brian R. Graf as an Assistant Attorney General effective January 1, 1991 at a salary of \$49,230 Maximum Step in Group M, he is currently an Attorney III at Labor Grade 27, Maximum Step at \$39,391.50.

#123. **DENIED** - The Governor and Council, on motion of Councilor Streeter, seconded by Councilor Griffin, voted to **DENY** request of Lawrence D. Conklin for a pardon hearing for the Offense of Second Degree Murder.

#124. **DENIED** - The Governor and Council, on motion of Councilor Burton, seconded by Councilor Griffin, voted to **DENY** request of Howard K. Hodgdon for a pardon hearing for the Offense of Negligent Homicide.

#125. Authorized expending \$35,000 for anticipated additional costs of employing expert witnesses and related prosecution expenses as specified in letter of November 14, 1990. Approved by the Fiscal Committee in letter of December 3, 1990.

#126. Authorized establishing one Assistant Attorney General position for the period December 1, 1990 through June 30, 1991 as specified in letter dated October 22, 1990. Approved by the Fiscal Committee in letter of December 3, 1990.

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#127. Authorized the Department to accept with gratitude a large assortment of used kitchen equipment valued between \$20,000 to \$30,000 from Tyler Philips of Mirror Lake.

#128. Authorized the Department to accept with gratitude nine (9) boxes of assorted books valued at \$100 from Robert Nichols for the prison libraries.

POLICE STANDARDS & TRAINING COUNCIL

The Governor and Council acted as follows:

#130. Authorized an agreement with the Sunapee Police Department to provide a staff officer to serve as a staff member of the 93rd NH Police Academy for a 10-week period from January 7, 1991 - March 15, 1991 at a total of \$4,200.

#131. Authorized awarding a specialized training grant in the amount of \$310 to the Hooksett Police Department.

ADJUTANT GENERAL

The Governor and Council acted as follows:

#132. Authorized individuals commissioned as specified in letter dated November 20, 1990 as Aides-de-Camp to the Governor.

#133. Authorized an agreement with Radford Messenger, Inc. of Rochester at \$3,750 in federal funds for snowplowing and surface treatment services at the National Guard Training Site, Center Strafford.

#134. Authorized establishing six positions as specified in letter dated November 13, 1990. Approved by the Fiscal Committee in letter of December 3, 1990.

TREASURY DEPARTMENT

The Governor and Council acted as follows:

#135. Authorized a one year contract extension (December 31, 1990 through December 31, 1991) of the personal services contract for legal counsel between the New Hampshire Nuclear Decommissioning Financing Committee and Attorney Alexander J. Kalinski of Manchester at a \$15,000 increase. Also, authorized a one year extension, same committee and dates as above, for administrative services of Winslow E. Melvin of Concord at \$17,000.

#136. Accepted and placed on file the Annual Report of New Hampshire Treasury Department for the fiscal year ending June 30, 1990.

#137. Authorized establishing one Management Systems Administrator I position through June 30, 1991 as specified in letter dated November 15, 1990. Approved by the Fiscal Committee in letter of December 3, 1990.

#137-a. Authorized approval of the annual distribution of the funds received from the US Treasury representing 25% (\$506,303.79) of receipts from the National Forest Lands in the State for Fiscal Year ending September 30, 1990.

REVENUE ADMINISTRATION

The Governor and Council acted as follows:

#138. Authorized that Barbara Reid be placed in Un-classified Group P, Step 1 effective January 1, 1991.

#139. Authorized that Stephanie Emma be placed in Unclassified Group L, Step 5 effective December 14, 1990.

ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#140. Authorized AMENDING contract with American Management Systems by increasing the amount of the contract by \$60,000 to complete tasks considered to be the most critical to ongoing operations as indicated in letter dated October 31, 1990.

#141. Authorized a contract with Ferdinando Insurance Associated, Inc. of Manchester at \$529,727.82 for insurance coverage of the state vehicle fleet from November 1, 1990 to November 1, 1991.

#142. Authorized the transfer of \$331,028 as specified in letter dated November 9, 1990. Approved by the Fiscal Committee in letter of December 3, 1990.

INSURANCE DEPARTMENT

#143. The Governor and Council, on motion of Councilor Streeter, seconded by Councilor Burton, authorized renewing the actuarial contract with William M. Mercer, Inc. of New York at \$100,000 for the period November 1, 1990 to October 31, 1991.

VETERANS' HOME

The Governor and Council acted as follows:

#144. Authorized an agreement with Simplex Time Recorder Company at \$1,520 for the period January 1, 1991 through December 31, 1991.

#145. Authorized salary increase of \$2,271 for Commandant Barry E. Conway effective January 1, 1991, he is currently in Group M (\$37,874 - \$49,230) and will increase from \$46,959 to \$49,230.

#146. Accepted and placed on file the N.H. Veterans' Home Annual Report for fiscal year 1990.

LABOR DEPARTMENT

The Governor and Council acted as follows:

#147. Authorized the State Mine Safety and Health Administration (MSHA) to accept \$21,000 in federal funds from the US Department of Labor (MSHA) to be used to assist mine owners and employees in reducing on-the-job injuries and illnesses through safety and health training effective through September 30, 1991.

#147-a. Authorized the Department to employ Kelly Services, Incorporated of Bedford at \$6,113 for word processor and secretarial services to help reduce the backlog of hearings decisions effective December 20, 1990 to January 18, 1991 for approximately four weeks.

CULTURAL AFFAIRS

The Governor and Council acted as follows:

#148 - #150. Signify Division of Libraries expenditures to purchase books and materials to be used by institutional libraries to provide library services for individuals in the facilities funded from grant carry over funds of the Library Services and Construction Act FY 1990.

#148. Authorized \$2,313.75 to the Youth Development Center.

#149. Authorized \$1,955.70 to the Women's Prison Facility.

#150. Authorized \$9,637.50 to the State Prison, Concord.

#151. Authorized renewing the contract with Bridgeport National Bindery, Inc. of Agawam, Massachusetts at \$5,000 for the binding needs of the State Library effective through June 30, 1991.

Historical Resources Division

#152. Authorized AMENDING the contract with the City of Concord for the Project "Concord Survey Phase II: Penacook" the National Park Service reduced the grant award to \$13,000 from \$14,784 and changed the ending date to September 30, 1990 from September 1, 1990.

#153. Authorized AMENDING the contract with the Town of Gilford for the project "Gilford Village Survey" the National Park Service increased the grant award to \$3,450 from \$1,700 and changed the ending date to September 30, 1990 from September 1, 1990.

#154. Not used.

STATE COUNCIL ON THE ARTS

The Governor and Council acted as follows:

ITEMS #155 - #157. Signify grants awarded state wide to local Arts councils and/or individuals to help support and promote the Arts at the community level.

#155. Authorized \$2,000 to John Casey of Tamworth.

#156. Authorized \$2,000 to Creative Classrooms of Raymond.

#157. Authorized \$1,865 to Grand Monadnock Arts Council of Keene.

HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Division of Elderly and Adult Services

#158. Authorized AMENDING agreement with Crotched Mountain Community Care, Inc. of Manchester by increasing the amount by \$20,500 to a new total of \$87,235 and extending the completion date to June 30, 1991 thus continuing to provide care management services for elderly and incapacitated adult clients in the northern rural area of the state.

Division of Human Services

#159. Authorized Office of Medical Services to add Jean Donovan at \$6,000 to the list of retained medical consultants to provide periodic expertise in the area of medical eligibility determinations as part of the official review process for approval of prospective clients to receive Medicaid program benefits effective through June 30, 1991.

#160. Authorized AMENDING agreement with Department of Education, Office of Adult Basic Education by increasing the amount from \$44,879 to \$152,000 to provide for increased participation of recipients of Aid to Families with Dependent Children (AFDC) targeting those clients under age 20 to complete their high school education.

PUBLIC HEALTH

The Governor and Council acted as follows:

#161. Authorized Bureau of Maternal & Child Health to accept \$55 in total donations, \$50 from Tina Toutain of Concord and \$5 from Sophie V. Napierkoski of Winchester to the Sudden Infant Death Syndrome (SIDS) Program.

#162. Authorized Bureau of Medical Services to AMEND contract with the Community Health Department of the City of Nashua by increasing the services of the Child Development Program Coordinator to also be a member of the Nashua Genetic Services Program Team which is part of the state wide genetics outreach program for children and families at risk for, or having, a genetic disease, at no additional cost and effective through June 30, 1991.

#163. Authorized Bureau of Special Medical Services to contract with the Upper Valley Support Group at \$10,000 to be used to facilitate the development of a Parent-to-Parent Network for families with children with chronic illnesses/disabilities effective through June 30, 1991.

#164. Authorized Bureau of Health Promotion to accept \$104,308 from the National Cancer Institute and authorize an agreement with Dartmouth, Norris Cotton Cancer Center, Hanover at \$97,478 for overall project management and data appraisal and analysis to be used to assist in the development of a cancer control plan for the state.

#165. Authorized Bureau of Special Medical Services to continue an unidentified number of consultants through June 30, 1991 as specified in letter dated November 5, 1990. Approved by the Fiscal Committee in letter of December 3, 1990.

CHILDREN AND YOUTH SERVICES

The Governor and Council acted as follows:

#166. Authorized Bureau of Residential Services, Youth Development Center to purchase the services of Fearon's Plumbing and Heating of Bedford at \$3,636.88 for emergency repair of the sewer system, RETROACTIVE to August 27, 1990.

#167. Authorized the acceptance of \$84,599 in additional federal funds for Children's Justice Initiatives through June 30, 1991 as indicated in letter of December 3, 1990.

#168. Authorized AMENDING lease agreement with the Department of Resources and Economic Development by extending the term of the lease to June 30, 2006 for tract of land located in Coleman State Park, Stewartstown on which the Division operates Camp E-Toh-Anee, a contracted wilderness program for adolescent males.

#169. Authorized renewing general liability insurance for foster parents from Davis and Towle Insurance and Financial Services at \$79,950 effective through October 11, 1990 through October 11, 1991.

#170. Authorized a two year agreement with Attorney Kathleen Hickey of Salem to provide legal services for social workers at \$500 per case when the Division is a petitioner or respondent in contested cases involving children who are alleged to be neglected or abused.

#171. Authorized an agreement with Child and Family Services of New Hampshire at \$47,633 and an additional agreement with same vendor at \$44,119 to provide services to families who are at risk of abuse or neglect or at risk of recurrence: the first contract will serve the towns in the catchment area of DCYS District Offices in Littleton, Berlin and Conway, the other contract will serve the towns in Laconia, Concord and Manchester District Office catchment areas, effective through June 30, 1991.

#172. Authorized payment of \$1,380 to Burpee Electrical Co., Inc. of Concord for repairs and improvements in the Industrial Arts Program work area, an instructional program in the Tobey School.

#173. Authorized payment of \$1,525 to Greenfield Industries, Inc. to replace a kitchen range hood in the "Fast Break" a vocational instructional program in the Tobey School.

ALCOHOL AND DRUG ABUSE PREVENTION

#174. The Governor and Council, on motion of Councilor Streeter, seconded by Councilor Burton, authorized the transfer \$55,150 as specified in letter dated November 14, 1990. Approved by the Fiscal Committee in letter of December 3, 1990.

DEVELOPMENTAL DISABILITIES COUNCIL

The Governor and Council acted as follows:

#175. Authorized an agreement with the Upper Valley Support Group of Hanover at \$9,000 to be used to establish a Parent-toParent Network and the installation of a toll-free telephone line effective through October 31, 1991.

#176. Authorized AMENDING an agreement with the Advocates for Special People of North Conway by extending the contract through August 31, 1991 at no additional cost, Advocates for Special People work to help young people with developmental disabilities participate in community activities.

#177. Authorized an agreement with the Bristol Community Center at \$1,900 to develop and offer a program of integrated art classes in a community center setting for people with developmental disabilities and their families, effective through December 31, 1991.

#178. Authorized an agreement with Citizen Advocates of the Seacoast Area, Portsmouth at \$6,450 to match community volunteers to proteges who have a developmental disability for the purpose of providing the proteges with support and access to the community, effective through December 31, 1991.

#179. Authorized an agreement with Frank Tupper of Canterbury at \$7,835 to produce a video which will exemplify practices in social integration for people with developmental disabilities using activities drawn from actual situation projects, effective through June 30, 1991.

MENTAL HEALTH

The Governor and Council acted as follows:

#180. Authorized an agreement with Northeast Psychiatric Associates Foundation of Nashua at \$257,696 to provide assertive life (case) management services to chronically and severely mentally ill adults in the Nashua area, effective through June 30, 1991.

#181. Authorized AMENDING contract with The Lakes Region Community Services Council of Laconia by increasing amount by \$31,450 to a new total of \$1,791,780 to provide the required community placement, day program, community residence and ancillary services for five clients as part of the planned closure of the Rice and Peterson Buildings, effective through June 30, 1991.

#182. Authorized AMENDING contract with Monadnock Developmental Services, Inc. of Keene by increasing the amount by \$188,038 to a new total of \$3,019,373 to provide residential and day program services for one individual who is receiving emergency care from the area agency and to provide expanded family support services for eight children and their families, effective through June 30, 1991.

#183. Authorized an agreement with New Hampshire Community Loan Fund, Concord at \$76,700 to be used to complete the rehabilitation and renovation work on an emergency shelter located in Manchester, effective through June 30, 1991.

Laconia Developmental Services

#184. Authorized a contract with Max Security of New England, Laconia at \$42,418 for a twenty-four hour security system to insure protection for the state's lands, buildings and property effective through June 30, 1991.

Glenclyff Home for the Elderly

#185. Authorized to accept a \$100 donation from the Cohase Lions Club, C/O Roger Fournier, Woodsville to be deposited in the Patient's Welfare Fund and used as designated for the Christmas Holiday Project 1990.

NEW HAMPSHIRE HOSPITAL

The Governor and Council acted as follows:

#186. Authorized an agreement with the Seiler Corporation of Waltham, Massachusetts at \$1,878,206 to provide dietary management services from January 1, 1991 to June 30, 1993

#187. Authorized an agreement with Simplex Time Recorder Co. of Manchester at \$4,992 to provide fire alarm and security system test and inspection at the Acute Psychiatric Services facility, effective October 1, 1990 through June 30, 1992.

#188. Authorized appointment of Mark J. Chittum of Windham as Non-Medical Unit Director at salary Grade L, Step Maximum of \$45,447.

BOARD OF REGISTRATION IN MEDICINE

#189. The Governor and Council, on motion of Councilor Rinker, seconded by Councilor Streeter, authorized payment of \$1,060.25 for 1991 membership fees to Federation of State Boards of Physical Therapy.

WORKERS' COMPENSATION COMMISSION

#190. The Governor and Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized request for partial waiver of Workers' Compensation Lien, Brenda Stewart vs NH Hospital D/A 12/29/84.

LABOR DEPARTMENT

#191. The Governor and Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized a Memorandum of Agreement with Public Health Services at \$4,133 to provide funds for In-State Travel and Out-of-State Travel as well as purchases of new technical equipment, effective through June 30, 1991.

LIQUOR COMMISSION

#192. The Governor and Council, on motion of Councilor Rinker, seconded by Councilor Burton, authorized a contract with S & W Construction of Concord at \$14,000 for snow removal and salt/sanding at the Hooksett State Liquor Stores No. 66 and No. 67 for the 1990-91 season.

TECHNICAL COLLEGES

#193. (Berlin Campus) The Governor and Council, on motion of Councilor Streeter, seconded by Councilor Burton, authorized a contract with Berlin-Gorham Painting Company at \$1,995 for painting and cleaning services December 26, 1990 to be completed January 1, 1991.

TECHNICAL INSTITUTE

The Governor and Council acted as follows:

#194. Authorized to accept and expend a \$25,000 grant from the Governor's Energy Office to be used for materials and supplies for the Suntech II and Sungo I Solar Car Projects.

#195. Authorized to accept and expend \$4,020 to support and provide for training services in Early Childhood Education for the child care center personnel at the Institute effective through June 30, 1991.

#196. Authorized to accept and expend a \$14,000 Carl Perkins grant from Postsecondary Technical Education to be used for the Business and Industrial training project effective through June 30, 1991.

TECHNICAL COLLEGES

The Governor and Council acted as follows:

#197. (Claremont Campus) Authorized to accept and expend \$87,753 in additional federal funds to increase the appropriation level of expenditure, total now at \$185,340 in the Basic Educational Opportunity Program (Pell Grant) to provide more eligible students with educational expenses, effective through June 30, 1991.

#198. (Manchester Campus) Authorized to accept and expend \$26,886 an additional appropriation from the Basic Education Opportunity Program (Pell Grant) the total grant is now at \$240,345 to provide students with needed financial assistance.

#199. (Nashua Campus) Authorized to accept and expend an additional \$50,986 in the Pell Grant for a new total of \$180,828 to provide students with needed financial assistance effective through June 30, 1991.

#200. (Nashua Campus) Authorized a contract with Robert A. Gray & Associates at \$3,050 for the period of January 7-18, 1991 for the purpose of providing one Application of Measuring Techniques (Products Inspection) a training program for civilian employees working under military contracts in the Northeast District of the Defense Contract Management Command (DCMDN) formerly DSASR of Boston.

#201. (Berlin Campus) Authorized continuing one part-time Word Processor Operator I position and 20 part-time Teacher Aide positions as specified in letter dated November 5, 1990. Approved by the Fiscal Committee in letter dated December 3, 1990.

#202. (Claremont Campus) Authorized continuing five Lab Helper positions, specified in letter of October 30, 1990. Approved by Fiscal Committee in letter of December 3, 1990.

#203. (Manchester Campus) Authorized establishing two Secretary Typist II positions, as specified in letter of October 31, 1990. Approved by the Fiscal Committee in letter dated December 3, 1990.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#204. Authorized a contract with Susan Kisslinger at \$4,500 to develop a dramatic presentation and accompanying teaching guide about educational needs of homeless school age children effective through October 30, 1991.

#205. Authorized a one day teacher induction conference for school administrators and mentor teachers at The Bedford Village Inn and Restaurant at a total cost of \$1,366.67 and authorize a contract with The Bedford Village Inn at \$966.67 (included in cost total above) to provide conference facilities and food services.

#206. Authorized to accept and expend an additional grant of \$50,000 from the US Department of Education FY'91 to provide services for homeless children and to provide technical assistance to school districts and homeless youth.

#207. Authorized to budget and expend prior year unexpended grant award funds in the amount of \$46,023.74 to increase services for the elderly blind as indicated in letter of December 5, 1990.

#208. Authorized contract with Charles W. Robinson of Sharon at \$37,740 for the third phase of the management information system contract continuing to update the data collection and fiscal management systems as required to be maintained by the federal government, effective through November 30, 1991.

#209. Authorized to accept and expend additional grant funds of \$69,310 from the US Department of Education to provide independent living services to individuals with severe disabilities.

ITEMS #210 - #213. Signify grant agreements with Granite State Independent Living Foundation of Concord funded through the US Department of Education under Title VII, Part A of the Rehabilitation Act of 1973 to provide independent living rehabilitation services to persons with severe disabilities, effective through December 31, 1991.

#210. Authorized \$32,000 grant entitled Adaptive Equipment.

#211. Authorized \$33,000 grant entitled Service Coordination.

#212. Authorized \$25,000 grant entitled Wheelchair Accessible Transportation.

#213. Authorized \$33,000 grant entitled Home Modifications.

#214. Authorized Office of Adult Basic Education to increase the grant for educational services to adults to the Tri-County Community Action Program, Inc. from \$6,400 to \$12,000 to increase the grant to Second Start (Concord) from \$6,400 to \$15,000 and to increase the grant to Nashua Adult Learning from \$6,689 to \$18,000 for a total increase to HHS-Basic Skills of \$45,000, effective through June 30, 1991.

#215. Authorized Bureau of Elementary and Secondary Education to grant to NH Educational Media Association \$13,000 in accordance with the terms of agreement with US Department of Health and Human Services and Centers for Disease Control in Atlanta, Georgia to fund eligible non-profit organizations providing health education to prevent the spread of HIV virus effective through July 31, 1991.

#216. Authorized Bureau of Elementary and Secondary Education to grant to specified recipients a total of \$72,015 as deemed eligible non-profit recipients in accordance with the terms of agreement with US Department of Health and Human Services and Centers for Disease Control in Atlanta, Georgia as indicated in letter dated December 7, 1990.

#217. Authorized the transfer of \$25,876 as specified in letter of November 16, 1990. Approved by the Fiscal Committee in letter of December 3, 1990.

#218. Authorized the transfer of \$433,882 as specified in letter of November 16, 1990. Approved by the Fiscal Committee in letter of December 3, 1990.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

Executive Office

#219. Authorized transfer of \$35,000 from the Highway Surplus Account and pursuant to the provisions of RSA 9:16-a, subject to the Department finding offsetting accounts for the \$35,000. AMENDED by the Fiscal Committee as indicated in letter of December 3, 1990.

#220. Authorized Equipment Acquisition Plan status report for the period ending November 30, 1990.

#221. Authorized acceptance of final design for construction of Interchange #8 in Nashua, Interchanges #10 & #11 in Merrimack and the barrier toll facility in Bedford, all on Central New Hampshire Turnpike.

Consultant: Howard, Needles Tammen & Bergendorr, Inc.

Amount Paid: \$2,408,126.27 Agreement Date: 1/02/85

Acceptance Date: October 23, 1990 Contract No: 76097

Bureau of Right-of-Way

#222. Authorized the sale of state-owned property, the former Labombarde property on Route 3 in Nashua, through sealed bid, with a minimum bid of \$350,000 for buildings and about 4.6 acres of surplus land.

#223. Authorized the Commissioner to Quitclaim whatever interest the State may have in the old highway easement of old Route 302 that is Southerly of a line measured (33') thirty-three feet South of Route 302 Centerline, as now travelled in the Town of Lisbon, to Brian Wright, where it abuts other land of said Wright.

#224. Authorized the Commissioner to Quitclaim whatever interest the State may have in the old highway easement of old Route 115 that is easterly of a line measured (50') fifty feet easterly of Route 115 Centerline, now travelled, in the Town of Jefferson to Bernard and Mariette Lemieux where it abuts other land of said Lemieux.

#225. Authorized Contemplated Award List for the period November 10, 1990 through November 28, 1990.

Bureau of Human Resources

#226. Authorized extending leave of absence, without pay to Richard Montgomery, Highway Maintainer II, through June 23, 1991.

Public Transportation Bureau

#227. Authorized an agreement with the Strafford Regional Planning Commission, Dover at \$8,160 for planning and technical studies for the period December 19, 1990 to June 30, 1991.

Bureau of Public Works

#228. Authorized a contract with James Pulaski, d/b/a Custom Designs, Keene at \$3,310 for illuminated Store Front Signage for Liquor Store No. 40, North Meadow Plaza, Walpole.

#229. Authorized a contract with Davcon Construction Corporation of Wolfeboro at \$4,217 to provide handicap home modifications, Walpole.

Bureau of Budget & Finance

#230. Authorized the transfer of \$57,023.99 as specified in letter dated October 19, 1990. Approved by the Fiscal Committee in letter of December 3, 1990.

Bureau of Turnpikes

#231. Authorized the transfer of \$462,000 as specified in letter dated November 7, 1990. Approved by the Fiscal Committee in letter of December 3, 1990.

TUITION REIMBURSEMENTS

#232. The Governor and Council acted as follows:

A. BANKING - Request permission to pay Franklin Pierce College the sum of \$336.00 for the sole purpose of enrolling Raymond A. Heroux, Bank Examiner I, in the course entitled Finite Math.

B. BANKING - Request permission to pay the N.H. Technical Institute the sum of \$246.00 for the sole purpose of enrolling Katherine Boissy Wheeler, Accounting Technician, in the course entitled Introduction to Business BU 101-9.

C. CORRECTIONS - Request permission to pay Project Second Start the sum of \$350.25 for the sole purpose of enrolling Cheryl LaPlante, Secretary, in the course entitled Basic Typing Course.

D. DEVELOPMENTAL DISABILITIES COUNCIL - Request permission to pay the N.H. Technical Institute the sum of \$246.00 for the sole purpose of enrolling Rebecca Partridge, Executive Secretary, in the course entitled IS 145-3 Decision Support Systems I.

E. DEVELOPMENTAL DISABILITIES COUNCIL - Request permission to pay the N.H. Technical Institute the sum of \$328.00 for the sole purpose of enrolling Rebecca Partridge, Executive Secretary, in the course entitled MT 132-9 Business Mathematics II.

F. EDUCATION - Request permission to pay Franklin Pierce College the sum of \$336.00 for the sole purpose of enrolling Stephen Wolfe, O&M Access Technology Coordinator, in the course entitled Microcomputers CS319.

G. EDUCATION - Request permission to pay Franklin Pierce College the sum of \$336.00 for the sole purpose of enrolling Kenneth J. Young, Vocational Rehabilitation Consultant, in the course entitled Microcomputers CS319.

H. EDUCATION - Request permission to pay Franklin Pierce College the sum of \$411.00 for the sole purpose of enrolling Christine M. Hammond, Word Processor Operator I, in the course entitled Principals of Economics II.

I. EDUCATION - Request permission to pay N.H. Technical College the sum of \$324.00 for the sole purpose of enrolling Sandra J. Hyslop, Statistical Assistant, in the course entitled Intermediate Accounting II.

J. EDUCATION - Request permission to pay Franklin Pierce College the sum of \$336.00 for the sole purpose of enrolling Theresa Satchelder, Disability Examiner, in the course entitled Introduction to Computers and Data Processing.

K. ENVIRONMENTAL SERVICES - Request permission to pay the N.H. Technical Institute the sum of \$328.00 for the sole purpose of enrolling Stephen Young, Electrician Sub-Forman, in the course entitled English Composition.

L. ENVIRONMENTAL SERVICES - Request permission to pay Franklin Pierce College the sum of \$336.00 for the sole purpose of enrolling Marion Defosses, Word Processor Operator I, in the course entitled Microeconomics.

M. ENVIRONMENTAL SERVICES - Request permission to pay Franklin Pierce College the sum of \$336.00 for the sole purpose of enrolling Patricia Magoon, Account Clerk III, in the course entitled Intermediate Accounting I.

N. GOVERNOR'S OFFICE - DIVISION OF HUMAN RESOURCES - Request permission to pay Notre Dame College the sum of \$600.00 for the sole purpose of enrolling Olga Skow, Refugee Social Services/Employment Coordinator, in the course entitled Second Language Acquisition.

O. HEALTH & HUMAN SERVICES - NEW HAMPSHIRE HOSPITAL - Request permission to pay Springfield College the sum of \$501.00 for the sole purpose of enrolling Margaret Rutherford-McNeil, Social Worker II, in the courses entitled Theories of Counseling, and Government and Agency Policies for the Aging.

P. HEALTH & HUMAN SERVICES - NEW HAMPSHIRE HOSPITAL - Request permission to pay the University of New Hampshire the sum of \$600.00 for the sole purpose of enrolling Carl Steele, Recreation Therapist, in the courses entitled Principles of Administration in Leisure Services and Information Retrieval and Communication in Leisure Services.

Q. HEALTH & HUMAN SERVICES - NEW HAMPSHIRE HOSPITAL - Request permission to pay the N.H. Technical College at Manchester the sum of \$175.00 for the sole purpose of enrolling Patrick Lambert, M&W I, in the course entitled English Composition.

TRAVEL REQUESTS

#233. The Governor and Council authorized as follows:

A. ATTORNEY GENERAL - Request RETROACTIVE permission for Kenneth Hughes, Investigator, to travel to Memphis, TN, to Jacksonville, FL, from October 15 - 17, 1990, to interview a critical witness in an upcoming criminal trial. Total Cost: \$596.92. Funds are available in Account #010-020-2601-080.

B. EMPLOYMENT SECURITY - Request permission for Ken Yasuda, Labor Market Analyst II; Doris Lachance, Research Analyst; Bruce DeMay, Supervisor IV; George Nazer, Supervisor of Economic & Labor Market Information; and Joseph Weisenburger, Deputy Commissioner; or substitutes, to travel to Andover and Boston, Massachusetts, on various dates between December 7, 1990, and March 31, 1991, to meet with representatives from the Northern Regional Educational Laboratory. Total Cost: \$860.00. Funds are 100% Federal.

C. ENVIRONMENTAL SERVICES - Request permission for Charles Berube and Joseph Donovan, both Environmentalists, to travel to Santa Fe, NM, from January 14 - 18, 1991, to attend the national site assessment conference for Pre-Remedial staff. Total Cost: \$1,970.00. Funds are available in Account #025-044-2599-080.

D. FISH AND GAME - Request RETROACTIVE permission for Charles Thoits, Senior Biologist; Robert Espula, Law Enforcement; and Donald Blouin, Governor Appointee, to travel to Hot Springs, VA, from November 11 - 15, 1990, to attend the 49th Annual Atlantic States Marine Fisheries Commission Meeting. Total Cost: \$2,813.00. Funds are available in Account Nos. 020-075-1180-080, 020-075-1181-080, 020-075-1171-080, and 020-075-2288-080.

E. FISH AND GAME - Request permission for Patricia Fleurba, Public Information Specialist; Bruce Auenly, Creative Writer; Judy Cummings, Division Chief; Judy Silverberg, Program Coordinator; Randy Curtis, Outdoor Educator; Dixie Sherrod, Program Planner; Brian Suttmeier, C.O.; Lauren Jakubowski, Counter Clerk; Scott Decker, Fish Biologist; Carol Henderson, Fish Biologist; or alternates, to travel to Worcester, MA, from February 5 - 11, 1991, to set up and man a promotional exhibit at the Eastern Fishing and Outdoor Exposition. Total Cost: \$1,666.64. Funds are available in Account #020-075-2120-080.

F. FISH AND GAME - Request permission for Patricia Fleurba, Public Information Specialist; Marjory Pernam, Counter Clerk; Craig Morrocco, C.O.; Edward Robinson, Wildlife Biologist; Sandra Felicon, Fish Biologist; or alternates, to travel to West Springfield, MA, from February 20 - 25, 1991, to set up and man a promotional exhibit at the Outdoors Northeast Fishing and Outdoor Exposition. Total Cost: \$1,135.00. Funds are available in Account #020-075-2120-080.

G. HEALTH & HUMAN SERVICES - Division of Public Health Services - Request permission for Robin Williamson McBrearty, Bureau Chief; and Richard C. Figari, Management Analyst, or alternates, to travel to Washington, DC, from February 16 - 20, 1991, to attend the annual conference of the National Association of WIC Directors. Total Cost: \$1,700.00. Funds are 100% Federal.

H. POSTSECONDARY TECHNICAL EDUCATION - Request permission for Joan Nelson, Chairperson, and Ellen Doyne, Coordinator, to travel to Storrs, CT, on January 8, 1991, to the University of Connecticut's workshop on learning disabilities. Total Cost: No Cost to the State.

I. SECURITIES REGULATION - Request permission for Alfred Rubega, Director; and Robert Robitaille, Administrator, to travel to Key Largo, FL, from January 4 - 9, 1991, to attend an enforcement conference sponsored by the North American Securities Administrators' Association. Total Cost: No Cost to the State.

J. STATE PLANNING - Request permission for William Ray, Senior Planner, to travel to Washington, DC, from January 15 - 18, 1990, to attend the Department of Housing and Urban Development Task Force meeting. Total Cost: \$885.00. A TRAVEL ADVANCE FOR \$500.00 IS ALSO REQUESTED. Funds are 100% Federal.

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#233 Continued

TRAVEL REQUESTS

R. HEALTH & HUMAN SERVICES - NEW HAMPSHIRE HOSPITAL - Request permission to pay New Hampshire College the sum of \$432.00 for the sole purpose of enrolling Chester Batchelder, Asst. Superintendent, in the course entitled Topics in Health Administration.

S. HEALTH & HUMAN SERVICES - NEW HAMPSHIRE HOSPITAL - Request permission to pay the N.H. Technical College at Claremont the sum of \$409.50 for the sole purpose of enrolling Helen Case, CNA III, Remotivator, in the courses entitled Clinical Conditions of OT/PT and Conduct of Science.

T. HEALTH & HUMAN SERVICES - NEW HAMPSHIRE HOSPITAL - Request permission to pay the N.H. Technical College at Manchester the sum of \$153.00 for the sole purpose of enrolling Grady Alexander, Jr., MHW I, in the course entitled Abnormal Psychology.

U. INSURANCE - Request permission to pay Franklin Pierce College the sum of \$336.00 for the sole purpose of enrolling Rebecca J. Nevin, Business Administrator, in the course entitled Managerial Accounting.

V. PARI-MUTUEL COMMISSION - Request permission to pay New Hampshire College in Portsmouth the sum of \$324.00 for the sole purpose of enrolling Paul M. Kelley, Deputy Director, in the course entitled CIS 100 Intro to Business Data Processing.

W. POSTSECONDARY TECHNICAL EDUCATION - N.H. Technical College at Manchester - Request permission to pay Northeastern University the sum of \$500.00 for the sole purpose of enrolling Jere Turner, Faculty Member, in the course entitled ED 3406 Procedures of Evaluation or appropriate course substitute.

X. POSTSECONDARY TECHNICAL EDUCATION - N.H. Technical College at Manchester - Request permission to pay University of Lowell the sum of \$85.00 for the sole purpose of enrolling Janice Wells, Staff Member, in the course entitled Enhancing Your Vocal Image or appropriate course substitute.

Y. RETIREMENT - Request permission to pay the N.H. Technical Institute the sum of \$184.50 for the sole purpose of enrolling Tammy Eccard, Retirement Counselor, in the course entitled Introduction to Human Services II.

Z. RETIREMENT - Request permission to pay the N.H. Technical Institute the sum of \$184.50 for the sole purpose of enrolling Denise M. Call, Accountant II, in the course entitled Decision Support Systems I.

AA. STATE PLANNING - Request permission to pay the University of New Hampshire the sum of \$483.00 for the sole purpose of enrolling Francesca Latawiec Ducee, Principal Planner, in the course entitled Soil 702.

BB. TRANSPORTATION - Request permission to pay the New Hampshire College the sum of \$302.00 for the sole purpose of enrolling Dustin Bourgoin, System Analyst, in the course entitled Production and Operation Management; N.H. Technical College the sum of \$101.00 for the sole purpose of enrolling Christopher Sheehan, Engineering Technician III, in the course entitled DC/AC Theory II; the University of New Hampshire the sum of \$37.50 for the sole purpose of enrolling Richard Robidoux, Civil Engineer IV, in the course entitled Off Site Construction; the University of New Hampshire the sum of \$37.50 for the sole purpose of enrolling Richard Robidoux, Civil Engineer IV, in the course entitled On Site Construction; the University of New Hampshire the sum of \$224.00 for the sole purpose of enrolling Robert Flynn, Engineering Technician I, in the course entitled Multidimensional Calculus; the University of New Hampshire the sum of \$224.00 for the sole purpose of enrolling Robert Flynn, Engineering Technician I, in the course entitled General Chemistry II, and the New Hampshire Technical Institute the sum of \$145.00 for the sole purpose of enrolling Karen Jennison, Administrative Assistant II, in the course entitled Decision Support Systems II.

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LATE ITEMS**A. LIQUOR COMMISSION**

The Governor and Council, on motion of Councilor Streeter, seconded by Councilor Burton, authorized payment of \$2,290.47 to C & S Contractors Incorporated of Hudson for the removal of rubbish at various State Liquor Stores from July 1, 1990 through December 19, 1990.

B. NEW HAMPSHIRE HOSPITAL

The Governor and Council, on motion of Councilor Burton, seconded by Councilor Streeter, authorized payment of \$12,000 to C & S Contractors Incorporated of Hudson for the removal of rubbish for the period July 1, 1990, through December 19, 1990.

C. NEW HAMPSHIRE HOSPITAL

The Governor and Council, on motion of Councilor Streeter, seconded by Councilor Spaulding, authorized a contract with BFI Waste Systems, of Tyngsboro, Massachusetts at \$89,700 for the period December 19, 1990 through June 30, 1993.

D. OFFICE OF STATE PLANNING

The Governor and Council, on motion of Councilor Burton, seconded by Councilor Rinker, authorized the Governor's Recycling Program to enter into an agreement with the City of Rochester in the amount of \$5,205 for the purchase of 3,000 curbside collection bins, effective through December 19, 1991.

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REMOVED FROM TABLE**#158.****DEPARTMENT OF SAFETY**

(TABLED at G & C Meeting of 12/07/90)

Division of Safety Services

The Governor and Council, on motion of Councilor Griffin, seconded by Councilor Burton, REMOVED from the TABLE and on motion of Councilor Griffin, seconded by Councilor Burton, authorized reallocating grant funds from the US Coast Guard (USCG) Grant entitled "Federal Boating Safety" reallocated to cover anticipated costs in utilities, consummable supplies and boat gas through June 30, 1991.

#130.

CULTURAL AFFAIRS

(TABLED at G & C Meeting of 12/07/90)

Christa McAuliffe Planetarium

The Governor and Council, on motion of Councilor Rinker, seconded by Councilor Griffin, REMOVED from the **TABLE** and on motion of Councilor Griffin, seconded by Councilor Rinker, authorized the transfer of \$44,788 and established one Business Administrator I position, as specified in letter dated October 22, 1990. Approved by the Fiscal Committee in letter of November 5, 1990.

#141.

OFFICE OF STATE PLANNING

(TABLED at G & C Meeting of 11/07/90)

The Governor and Council, on motion of Councilor Burton, seconded by Councilor Griffin, REMOVED from the **TABLE** and **AMENDED** to include Glencliff Water Works, at no additional cost, and on motion of Councilor Burton, seconded by Councilor Rinker, authorized as **AMENDED** an agreement with the Town of Warren at \$12,000 for project involving an assessment of the existing South Main Street water system effective through December 31, 1991.

#97.

DEPARTMENT OF TRANSPORTATION

(TABLED at G & C Meeting of 10/17/90)

(Bureau of Right-of-Way)

The Governor and Council, on motion of Councilor Burton, seconded by Councilor Spaulding, REMOVED from the **TABLE** and on motion of Councilor Burton, seconded by Councilor Rinker, authorized the layout of a road to public waters to Halfmoon Pond in the Town of Grafton.

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The Governor and Council, on motion of Councilor Rinker, seconded by Councilor Burton, voted to include in the minutes a resolution proposed by the Hooksett Town Council for a constitutional amendment regarding the physical desecration of the American Flag.

(See Page 22-KK)

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The Governor set the date for the next regular meeting of the Governor and Council for Thursday January 3, 1991, at 2:00 P.M., to be held in the Executive Council Chambers, State House, Concord.

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The Honorable Board then adjourned.

TOWN COUNCIL RESOLUTION

This measure would request Congress to propose a constitutional amendment, for ratification by the states, which would specify that the Congress and the states shall have the power to prohibit the physical desecration of the American Flag.

WHEREAS, Although the right of free expression is part of the foundation of the United States Constitution, very carefully drawn limits on expression in specific instances have long been recognized as legitimate means of maintaining public safety and decency, as well as orderliness and productive value of public debate; and

WHEREAS, Certain actions, although arguably related to one person's free expression, nevertheless raise issues concerning public decency, public peace, and the rights of expression and sacred values of others; and

WHEREAS, There are symbols of our national soul such as the Washington Monument, the United States Capitol Building, and memorials to our greatest leaders, which are the property of every American and are therefore worthy of protection from desecration and dishonor; and

WHEREAS, The American Flag to this day is a most honorable and worthy banner of a nation which is thankful for its strengths and committed to curing its faults, and remains the destination of millions of immigrants attracted by the universal power of the American ideal; and

WHEREAS, the law as interpreted by the United States Supreme Court no longer accords to the Stars and Stripes that reverence, respect, and dignity befitting the banner of that most noble experiment of a nation-state; and

WHEREAS, It is only fitting that people everywhere should lend their voices to a forceful call for restoration to the Stars and Stripes of a proper station under law and decency; now, therefore, be it

RESOLVED, That the Town Council of the Town of Hooksett New Hampshire respectfully requests the Congress of the United States to propose an amendment of the United States Constitution, for ratification by the states, specifying that Congress and the states shall have the power to prohibit the physical desecration of the flag of the United States; and be it further

RESOLVED, That copies of this resolution be transmitted to the Speaker of the U.S. House of Representatives, the President of the U.S. Senate and all members of the congressional delegation from the State of New Hampshire and the New Hampshire House of Representatives, the State Senate and the Governor and Governor's Council.