ATTORNEY GENERAL
DEPARTMENT OF JUSTICE
33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

GORDON J. MACDONALD
ATTORNEY GENERAL

JANE E. YOUNG
DEPUTY ATTORNEY GENERAL

38A

December 9, 2020

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

Your Excellency and Members of the Council:

REQUESTED ACTION

Authorize the Department of Justice to **retroactively** pay organizational dues to the National Association of Attorneys General, Washington, DC (Vendor #170397) in the amount of $33,165 for the period of January 1, 2021 to December 31, 2021 upon approval of the Governor and Executive Council through December 31, 2021. 57% General Funds and 43% Agency Income.

Funding is available as follows:

02-20-20-200010-2601	FY 2021
Attorney General	
026-500251, Organizational Dues	$33,165

EXPLANATION

This item request is **retroactive** because the invoice was not received by this office from the National Association of Attorneys General for timely consideration by Governor and Council prior to the December 18, 2020 meeting.

The National Association of Attorneys General (NAAG) was founded in 1907 to help Attorneys General fulfill their responsibilities by providing high quality legal assistance to the states. NAAG helps Attorneys General respond effectively to emerging state and federal issues by pooling resources, offering technical expertise, fostering interstate cooperation on legal and law enforcement issues, conducting policy research and analysis of issues, and facilitating communication between states' chief legal officers. NAAG advises Attorneys General and their

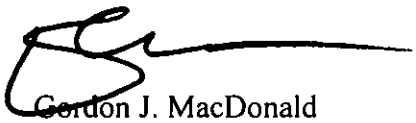
staffs of significant legal developments and emerging trends occurring in the states and federal government through information exchange, programs and training.

Additionally, NAAG offers critical assistance in the area of Consumer Protection. It provides on-going legal support to all the states that are a party to the tobacco litigation, including overseeing the annual payments of tobacco settlement funds. It facilitates all of our multistate actions and multistate settlements, from which the State has financially benefited.

Attached you will find the standard questions and answers required for organizational dues and memberships.

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

Respectfully submitted,



Gordon J. MacDonald
Attorney General

Standard questions required for Governor and Council for organization dues and membership approval submissions:

1. *How long has this organization been in existence and how long has this agency been a member of this organization?*
   The National Association of Attorneys General (NAAG) has been in existence since 1907. The Department of Justice (DOJ) has belonged to this organization since the agency was established.

2. *Is there any other organization which provides the same or similar benefits which your agency belongs to?*
   The DOJ does not belong to another organization providing the same or similar benefits.

3. *How many other states belong to this organization and is your agency the sole New Hampshire state agency that is a member?*
   All 50 states and US territories are members of NAAG. The DOJ is the sole agency in New Hampshire belonging to this organization.

4. *How is the dues structure established?*
   The dues model for NAAG assigns the states and territories into eight separate groups based on population. The dues model calls for an annual increase of 3% or the CPI, whichever is

greater, with the added restriction that no NAAG dues category will exceed 50% of the National Governor's Association dues category.

5. *What benefit does the state receive from participating in this membership?*

- The State receives approximately $40 million annually from the Tobacco Master Settlement Agreement, in which DOJ participates through litigation coordinated through NAAG.
- NAAG helps the Attorneys General respond to emerging state and federal issues by pooling resources, offering technical expertise, fostering interstate cooperation on legal and law enforcement issues, conducting policy research and analysis of issues, and facilitating communication between states' chief legal officers.
- NAAG advises Attorneys General and their staff of significant legal developments and emerging trends occurring in the states and federal government through information exchange, programs and training.
- NAAG plays a critical role for the Consumer Protection Bureau by facilitating all of the multi-state actions and multi-state settlements.

6. *Are training or educational/research materials included in the membership? If so, is the cost included.*
   Yes, training and educational/research materials are included in this membership.

   The cost of the trainings is partially included in this membership and partially paid for by NAAG's training and research entity, National Attorneys General Training and Research Institute (NAGTRI).

7. *Is the membership required to receive any federal grants or required in order to receive or participate in licensing or certification exams?*
   This membership is not required.

8. *Is there any travel included with this membership fee? Explain in detail any travel to include the number of employees involved, the number of trips, destination if known and purposes of membership supported trips.*
   Under normal circumstances, there is travel involved for three specific meetings attended by the Attorney General. Due to the pandemic, travel has been postponed.

   Although, due to the pandemic, travel has been postponed, the Deputy Attorney General can attend one annual national meeting and the Solicitor General can attend an annual appellate meeting. On average, 15 attorneys attend multi-day trainings annually on various topics specifically focused on practice in an attorney general's office. With the exception of the Attorney General's travel, the cost for travel, room and board is provided in lump sum scholarships for each trip. The purpose of these specific trips, respectively, is to update the Deputy Attorney General on on-going legal and management issues in Attorneys General Offices; to update the Solicitor General on appellate issues; to obtain quality legal training for attorneys; and, for all trips, to engage in open dialogue about legal issues common to all the Attorneys General Offices.

NAAG also provides training throughout the year on a myriad of topics that relate to common issues faced by attorneys general's offices. These topics include taking depositions, trial strategies, management development, environmental issues, drug prosecutions, consumer protection matters, advanced investigation techniques, etc. Each of these trainings is scheduled in a different place in the United States and the cost for travel, room and board, and the training itself is provided in a lump sum scholarship.

9. *Which state agency employees are directly involved with this organization? (Indicate if they are members, voting members, committee members and or officers of the organization).*
Attorney General Gordon J. MacDonald is currently a voting member of NAAG.

10. *Explain in detail any negative impact to the State if the Agency did not belong to this organization.*

- Loss of benefits outlined in question five (settlement dollars are not conditioned on NAAG membership, but New Hampshire's involvement in ongoing coordinated tobacco litigation on a national level and in multi-state consumer protection litigation would be compromised);
- Lack of knowledge and involvement in major settlements such as tobacco and the mortgage settlement that potentially bring millions of dollars into the State;
- Loss of critical training opportunities for all DOJ staff; and
- Lack of knowledge and cooperation with other states in major state and federal emerging issues.

#2975731

Carr, Kathleen

From: MacDonald, Gordon
Sent: Tuesday, December 8, 2020 9:27 AM
To: Carr, Kathleen
Subject: FW: NAAG Dues 2021
Attachments: NAAG Dues 2021-2022.pdf; NH 2021.pdf

From: Aicha Bah <abah@naag.org>
Sent: December 8, 2020 09:09
To: MacDonald, Gordon <Gordon.J.MacDonald@doj.nh.gov>; Schmidt, Kim <Kim.A.Schmidt@doj.nh.gov>
Cc: Theresia Heller <theller@naag.org>
Subject: NAAG Dues 2021

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

TO: All Attorneys General

FROM: Theresia Heller, Chief Financial Officer

SUBJECT: NAAG Dues Invoices for Calendar Year 2021 (Jan – Dec 2021)

As you may recall, last year the National Association of Attorneys General transitioned our fiscal year to the calendar year and your most recent dues payment covered the period of July 2020 – December 2020. Enclosed is the invoice for your state's or territory's dues to NAAG for the period of January 2021 – December 2021. For budgeting and planning purposes, the attached dues schedule shows the current year and the projected dues for calendar year 2022 which we will invoice in November 2021.

According to Article VII Section 1 of the NAAG Constitution, the dues and publications/technical assistance fees for each Attorney General shall be assessed according to a schedule, which is based upon the population of each jurisdiction. Each state's grouping on the schedule shall be readjusted by the Executive Committee as soon as practicable following the availability of the population figures of the decennial census. Dues shall increase annually by the Consumer Price Index (CPI) or 3%, whichever is greater.

The invoice is due and payable on receipt. If you or your staff have any questions or require any further clarification, please contact : abah@naag.org

Aicha Bah
Finance and Accounts Receivable Coordinator
National Association of Attorneys General
1850 M Street NW, 12th floor
Washington DC 20036
202.326.6013

NATIONAL
ASSOCIATION OF
ATTORNEYS GENERAL

PRESIDENT
Karl A. Racine
District of Columbia
Attorney General

PRESIDENT-ELECT
Tom Miller
Iowa
Attorney General

VICE PRESIDENT
Josh Stein
North Carolina
Attorney General

IMMEDIATE PAST
PRESIDENT
Tim Fox
Montana
Attorney General

Chris Toth
Executive Director

1850 M Street NW
12th Floor
Washington, DC 20036
202-326-6000
www.naag.org

December 8, 2020

Office of the Attorney General
State House Annex
33 Capitol Street
Concord, NH 03301-6397

INVOICE #2021

National Association of Attorneys General Dues (Jan 2021 - Dec 2021)	$ 33,165
Total Amount Due	$ 33,165

Please make check payable to **National Association of Attorneys General** and send to:

NAAG
Finance & Administration
1850 M Street NW, 12th Floor
Washington, DC 20036

NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

	NAAG Dues Remainder Cal Year 2020 (Jul - Dec 2020)	NAAG Dues Cal Year 2021 (Jan - Dec 2021)	NAAG Dues Cal Year 2022 (Jan - Dec 2022)
California, Florida, Illinois, Michigan, New York, Ohio, Pennsylvania, Texas	$44,945	* $92,587	$95,365
Arizona, Georgia, Indiana, Massachusetts, New Jersey, North Carolina, Virginia, Washington	$39,041	$80,424	$82,837
Alabama, Colorado, Maryland, Minnesota, Missouri, South Carolina, Tennessee, Wisconsin	$33,219	$68,431	$70,484
Connecticut, Iowa, Kentucky, Louisiana, Oklahoma, Oregon, Puerto Rico	$27,206	$56,043	$57,724
Arkansas, Kansas, Mississippi, Nevada, New Mexico, Utah, West Virginia	$22,226	$45,785	$47,159
Hawaii, Idaho, Maine, Montana, Nebraska, New Hampshire, Rhode Island	$16,100	$33,165	$34,160
Alaska, Delaware, District of Columbia, North Dakota, South Dakota, Vermont, Wyoming	$10,053	$20,708	$21,329
American Samoa, Guam, Northern Marianas, Virgin Islands	$5,835	$12,020	$12,381
TOTAL	$1,490,061	$3,069,526	$3,161,616