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ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

156

May 12, 2023

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 pay organizational dues to the National Association of Attorneys General (NAAG), Washington, DC (Vendor #170397), **retroactive** to January 1, 2023, in the amount of \$34,160 effective upon approval of the Governor and Executive Council for the period of January 1, 2023 to December 31, 2023. 85% General Funds and 15% Agency Income.

Funding is available as follows:

02-20-20-200010-2601	<u>FY 2023</u>
<u>Attorney General</u>	
026-500251, Organizational Dues	\$34,160

EXPLANATION

This item request is **retroactive** because the invoice was not received by this office from the National Association of Attorneys General until May 3, 2023. The invoice was received late due to a delay in dues assessments.

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.

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

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. There was no increase to the 2023 dues.

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.*

There is travel involved for meetings attended by the Attorney General.

The Deputy Attorney General and Chief of Staff 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 Attorney General and 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.

His Excellency, Governor Christopher T. Sununu

and the Honorable Council

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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).*

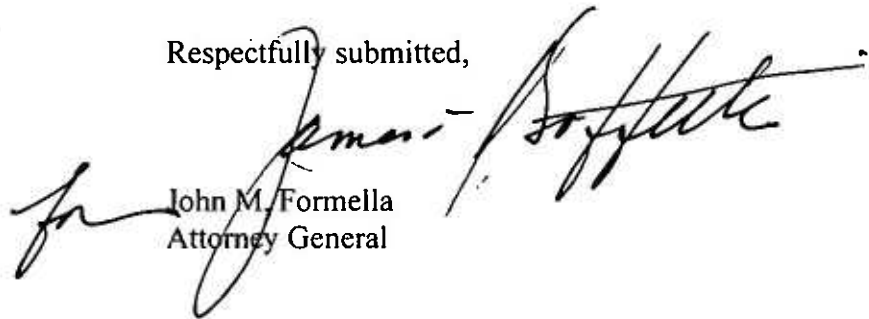
Attorney General John M. Formella is currently a voting member and Vice President of NAAG.

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.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John M. Formella", is written over the typed name and title. The signature is stylized and cursive.

John M. Formella
Attorney General

#4014111



INVOICE

National Association of Attorneys General

INVOICE #: INV00343
DATE: 05/01/2023
DUE DATE: 12/31/2023

1850 M Street NW 12th Floor
Washington, DC 20036
finance@naag.org
202-326-6018

TOTAL AMOUNT: \$34,160.00
TOTAL DUE: \$34,160.00

BILL State of New Hampshire
TO: 33 Capitol Street
Concord, NH 03301

DESCRIPTION / MEMO	AMOUNT
NAAG CY 2023 Dues	\$34,160.00
TOTAL AMOUNT:	\$34,160.00

National Association of Attorneys General
1850 M Street NW 12th Floor
Washington, DC 20036
Phone: 202-326-6018
Email: finance@naag.org

TOTAL DUE: \$34,160.00

AMOUNT ENCLOSED:

Customer ID - Name: C00031 - Office of the Attorney General of New Hampshire
Invoice #: INV00343

BILL State of New Hampshire
TO: 33 Capitol Street
Concord, NH 03301

PLEASE NOTE NEW REMIT ADDRESS
REMIT National Association of Attorneys
TO: General
PO Box 98384
Washington, DC 20090-8300
finance@naag.org
202-326-6018

ACH: Account Name: Operating Account
Account Number: 1361450440
ACH ABA Routing Number: 065000090
Swift Code: HIBKUS44
Account Type: Checking
Bank Address: Capital One Bank N.A.,
1680 Capital One Dr., McLean, VA 22102