STATE OF NEW HAMPSHIRE
DEPARTMENT OF CORRECTIONS
OFFICE OF THE COMMISSIONER
P.O. BOX 1806
CONCORD, NH 03302-1806
603-271-5603 FAX: 888-908-6609
TDD ACCESS: 1-800-735-2964
www.nh.gov/nhdoc

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HELEN E. HANKS
COMMISSIONER

PAUL D. RAYMOND, JR.
ASSISTANT COMMISSIONER

mlc

September 15, 2023

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

REQUESTED ACTION

Authorize the NH Department of Corrections to exercise a **retroactive** inter-agency Memorandum of Understanding (MOU) with the NH Department of Safety which will establish reimbursement cost rates for the NH Department of Corrections, Correctional Industries Plate Shop's manufacture of motor vehicle number plates, beginning July 1, 2023 through June 30, 2025, effective upon Governor and Executive Council approval. 100% Agency Income.

Funds received are to be deposited into the following account, Agency Income: 02-46-46-462010-57310000-009-402137, Correctional Industries Inventory.

EXPLANATION

This MOU is **retroactive** as the Department of Corrections' direct and indirect costs associated with the manufacturing of license plates are not available until after the closing of the fiscal year. Subsequently, the Department of Safety, Division of Motor Vehicles reviews the Department's cost analysis in order to reach a mutually agreeable per license plate reimbursement rate with the Department. Per RSA 228:25-I, the Commissioner of Safety shall, biennially, request the Commissioner of Administrative Services to review and approve the cost rates of vehicle number plates manufactured at the NH State Prison. Administrative Services has approved the negotiated rates for vehicle number plates of $1.15 per plate, effective for the period of July 1, 2023 through June 30, 2025.

Respectfully Submitted,

Helen E. Hanks
Commissioner

State of New Hampshire

DEPARTMENT OF SAFETY
JAMES H. HAYES BLDG. 33 HAZEN DR.
CONCORD, N.H. 03305
(603) 271-2791

ROBERT L. QUINN
COMMISSIONER

EDDIE EDWARDS
ASSISTANT COMMISSIONER

STEVEN R. LAVOIE
ASSISTANT COMMISSIONER

MEMORANDUM OF UNDERSTANDING

WHEREAS, the New Hampshire Department of Safety (hereinafter referred to as "DOS") has made the following agreement with the Department of Corrections (hereinafter referred to as "DOC").

DOS, in accordance with the provisions of New Hampshire RSA 228: 25, shall reimburse the DOC for the manufacturing of reflectorized motor vehicle number plates the sum of $1.15 per plate and shall be paid from the inventory fund.

This MOU shall be effective as of July 1, 2023, and shall replace and supersede any previously executed memorandum of understanding regarding this matter. This MOU shall end June 30, 2025.

DEPARTMENT OF SAFETY

Robert L. Quinn, Commissioner
Date: 9/5/23

John C. Marasco, Director
Division of Motor Vehicles
Date: 9/1/23

DEPARTMENT OF CORRECTIONS

Helen E. Hanks, Commissioner
Date: 9/18/2023

DEPARTMENT OF ADMINISTRATIVE SERVICES

Charles M. Arlinghaus, Commissioner
Date: 9-16-23

Approval by State of New Hampshire Attorney General as to form, substance, and execution:

By: _____, Assistant Attorney General, on September 21, 2023

Approval by State of New Hampshire Governor and Executive Council:

By: _____, on _____.

State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
25 Capitol Street - Room 100
Concord, New Hampshire 03301
(603) 271-3201 | Office@das.nh.gov

Charles M. Arlinghaus
Commissioner

Catherine A. Keane
Deputy Commissioner

Sheri L. Rockburn
Assistant Commissioner

September 6, 2023

NH Department of Safety
Division of Administration
33 Hazen Drive
Concord NH 03305

Dear Commissioner Quinn,

In response to your letter dated September 5, 2023, and in accordance with the provisions of RSA 228:25-1, I approve the cost rate of $1.15 as accurate and reasonable.

The cost rate shall be for the manufacturing of vehicle number plates reimbursed to the Department of Corrections, New Hampshire State Prison for Men for the period of July 1, 2023 through June 30, 2025.

Respectfully submitted

Charles M. Arlinghaus
Commissioner

State of New Hampshire

DEPARTMENT OF SAFETY
JAMES H. HAYES BLDG. 33 HAZEN DR.
CONCORD, N.H. 03305
(603) 271-2791

ROBERT L. QUINN
COMMISSIONER

EDDIE EDWARDS
ASSISTANT COMMISSIONER

STEVEN R. LAVOIE
ASSISTANT COMMISSIONER

September 5, 2023

Commissioner Charles M. Arlinghaus,
State of New Hampshire
Department of Administrative Services
25 Capitol Street - Room 120
Concord, New Hampshire 03301

Re: Memorandum of Understanding between the NH Departments of Safety and Corrections

Dear Commissioner Arlinghaus,

The Department of Safety (DOS) respectfully requests your approval of a Memorandum of Understanding between the DOS and the Department of Corrections (DOC), establishing reimbursement cost rates for the manufacturing of motor vehicle number plates for State Fiscal Year 2024 and 2025.

According to RSA 228:25-I, the Commissioner of Safety shall ask the Commissioner of Administrative Services to review and approve cost rates of vehicle number plates manufactured at the state prison. Such a review was conducted by the Department of Administrative Services and a rate of $1.15 was deemed accurate and reasonable. The DOS reviewed the DOC's methodology and calculation of the rate. We agree that the rate of $1.15 is reasonable and request your approval to utilize this rate for State Fiscal Year 2024 and 2025.

Respectfully submitted,

Robert L. Quinn
Commissioner of Safety

TITLE XX
TRANSPORTATION

CHAPTER 228
ADMINISTRATION OF TRANSPORTATION LAWS

Commissioner, Deputy and Assistant Commissioners

Section 228:25

228:25 Addition to Fund. –
I. There is hereby established an inventory fund in the department of safety consisting of the initial appropriation of $1,000,000 which sum is hereby authorized as a revolving fund comprised of funds in the highway fund that are not otherwise appropriated and into which shall be deposited additional revenues derived from the number plate manufacturing fee established in this paragraph. The fund shall be nonlapsing and continually appropriated to the department. The prison shall purchase such raw materials as may be required and agreed to by the commissioner of safety in order for the commissioner of safety to issue fully reflectorized motor vehicle number plates. This purchase shall be a charge against the inventory fund and the prison shall be responsible for the control and accountability of the raw materials so charged. Said number plates shall be manufactured at the state prison. The prison shall be furnished out of said inventory account the raw materials necessary to manufacture said plates and upon receipt of the finished plates by the department of safety shall be reimbursed for their direct and indirect costs. The commissioner of safety shall, biennially, request the commissioner of administrative services to review and approve said cost rates. Notwithstanding any other provision of law, the commissioner of safety shall charge, in addition to the regular motor vehicle registration fee, a number plate manufacturing fee of $4.00 per plate at the time of issuing said reflectorized motor vehicle number plates or replacement reflectorized number plates. Said additional charge shall not give the registrant any title or other property interest in said plates. The commissioner of safety or assistant commissioner may request from time to time delivery of the number plates from the prison and shall reimburse the inventory fund by a transfer from revenue. At least 6 months prior to subsequent general issue, a transfer from revenue shall be made for all remaining finished plates in inventory. The commissioner of safety shall report to the governor, the president of the senate, and the speaker of the house of representatives, no later than 90 days after the close of the second fiscal year of each biennium, the year ending balance in the inventory fund and the department's recommendation as to when the next general issue of number plates should commence, the estimated cost of such a general issue, and the estimated annual cost to support routine plate issue and replacement without a new general issue.
II. [Repealed.]
III. In accordance with the provisions of paragraph I, replacement plates may be purchased from the inventory fund.
IV. If the state prison shop is unable to manufacture or deliver reflectorized motor vehicle plates in a timely manner because of an emergency interruption resulting from a riot or other unforeseen cause, as determined by the commissioner of corrections or the commissioner of safety, the commissioners shall submit a written report to the governor and council and shall request that an outside vendor be retained to manufacture said plates. If at any time the commissioner of safety or the commissioner of corrections determines that the prison cannot produce number plates at a competitive price or meet reasonable delivery schedules, the commissioner of safety shall report to the fiscal committee of the general court and the governor and council, and shall request that an outside vendor be retained to manufacture the plates. Upon approval of the governor and council, the commissioner of safety shall request the department of administrative services, division of procurement and support services to select an outside vendor in accordance with RSA 8:19.
V. The commissioner of safety, with approval of the governor, may charge the necessary expenses for the manufacture, storage, handling, issuance, and distribution of reflectorized motor vehicle number plates against the inventory fund provided under this section.

Source. RSA 229:6-d. 1977, 600:33. 1981, 54:3; 87:1; 568:63. 1985, 323:1, 2; 399:3, I. 1987, 404:1. 1997, 186:1, 4. 2002, 165:1. 2008, 158:1, eff. July 1, 2008. 2014, 327:63, eff. Aug. 2, 2014.