

Section 4:9-i

4:9-i Public Works Employee Memorial. –

I. There shall be a memorial to commemorate New Hampshire public works employees who were killed while performing public works duties on behalf of a municipality, a county, or the state. The memorial shall be situated on a site to be determined by the committee established in RSA 4:9-j. The governor is authorized to accept in the name of the state the public works employee memorial as a private gift upon its completion.

II. (a) The director of operations, subject to the direction and supervision of the commissioner of transportation, shall act as the custodian of the public works employee memorial, and shall have charge of all matters relating to the care, maintenance, repair, and additions to the memorial.

(b) The director of operations, subject to the direction and supervision of the commissioner of transportation, shall administer and disburse for the committee established in RSA 4:9-j the moneys in the special account established under RSA 4:9-j. The committee shall approve the expenditure of funds prior to payment by the director of operations.

(c) The director of operations, subject to the direction and supervision of the commissioner of transportation, may administer and disburse to the committee established in RSA 4:9-j, state owned salvaged materials, not otherwise allocated by the department, including but not limited to, granite curb granite blocks, pavement grindings, ditching material, and concrete products, to assist in the construction of the memorial.

Source. 2009, 109:1, eff. Aug. 14, 2009. 2012, 193:3, eff. June 11, 2012.

Section 4:9-j

4:9-j Committee Established; Special Account. –

I. A committee is established to oversee the location, design, construction, and maintenance of a public works employee memorial and to privately raise and expend all the funds necessary for its construction and maintenance. The governor is authorized to accept for the committee, in the name of the state, the gifts of money, which are donated to construct and maintain the memorial. Notwithstanding any other provision of law, except as provided by RSA 4:9-k, III, the committee may accept donated in-kind services, goods, and materials for the construction and maintenance of the memorial without governor and council approval.

II. The gifts of money, which are donated to contract, construct, and maintain the memorial, shall be placed in a special nonlapsing account in the state treasury, to be expended for the purposes of the public works employee memorial. Any money remaining in the special account after construction of the memorial is completed shall be used for the care, maintenance, repair, and additions to the memorial, or for any other purpose deemed appropriate by the committee. Notwithstanding any other provision of law, except as provided by RSA 4:9-k, III, the committee may expend the money raised, once accepted as a gift and without the approval of governor and council, to contract for the construction and perpetual maintenance of the memorial.

III. The committee shall remain in existence upon the completion of the public works employee memorial for the purpose of overseeing maintenance and approving any change to the

memorial, such as the addition of names to the memorial. Any site change for the memorial shall be made under the supervision of the director of operations of the department of transportation, according to the provisions of RSA 4:9-i, II.

Source. 2009, 109:1, eff. Aug. 14, 2009. 2012, 193:4, eff. June 11, 2012.

Section 4:9-k

4:9-k Committee Membership and Duties. –

I. The members of the committee established in RSA 4:9-j shall be as follows:

(a) One member appointed by the New Hampshire Public Works Association.

(b) One member appointed by the New Hampshire Road Agents Association.

(c) One member appointed by the New Hampshire Municipal Association.

(d) The commissioner of transportation, or designee.

(e) One member, who shall be a classified state employee of the department of transportation, appointed by the New Hampshire State Employees Association.

(f) One member, who shall be a family member of a public works employee who died in the course of performing public works duties on behalf of the state, appointed by the governor.

II. The members of the committee shall elect a chairperson from among the members. The commissioner of transportation, or designee, shall call the first meeting of the committee. Four members of the committee shall constitute a quorum.

III. The committee shall select the location and design for the public works employee memorial and oversee the construction and maintenance of the memorial. The award of any contract totaling greater than \$25,000 for the design, construction, and maintenance of the public works employee memorial shall be subject to the approval of the governor and council. The committee shall advise and inform the municipality in which the memorial is located as to the design, construction plans, and location for the memorial.

IV. The committee, through the New Hampshire public works community, shall privately raise all the money necessary for the planning, design, construction, and maintenance of the public works employee memorial. Notwithstanding any other provision of law, except as provided in RSA 4:9-k, III, the committee may expend the money raised for the purpose of the public works employee memorial without the approval of governor and council.

Source. 2009, 109:1, eff. Aug. 14, 2009. 2012, 193:5, eff. June 11, 2012.