

**SENATE FINANCE COMMITTEE
BUDGET WORK SESSION**

05/08/23

SENATE FINANCE - 2023 BUDGET RECAP SHEET

Department of State

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
No Additional Requests.	David Scanlan, Secretary of State					
<u>Bills:</u>						
1. HB 2 Amendment # 2023-1669s - Adds a \$663k appropriation in FY 23 for the Department of State to implement the online election information portal. Currently, SB 70 does not have an appropriation to the Department of State. (This bill is currently in the House Election Law Committee.)	Senator Gray/ Erin Hennessey	G	\$663,000	\$0	\$0	\$663,000
2. HB 2 Amendment # 2023-1667s - Adds a \$90k appropriation in FY 23 for the Department of State to implement SB 157 relative to election audits. Currently, SB 157 does not have an appropriation to the Department of State. The SOS stated they would need an appropriation for annual software subscriptions and additional programming costs. (This bill passed the House with amendment on 5/4/2023)	Senator Gray /Erin Hennessey	G	\$90,000	\$0	\$0	\$90,000
3. HB 2 Amendment # 2023-1680s - Directs the department of administrative services to work with the department of health and human services and the department of state to draft a plan to move the bureau of vital records to the purview of the division of public health.	Senator Rosenwald	N/A				

<p>4. SB 105 relative to information collected by the division of vital records administration as part of the live birth worksheet. SOS indicates they will need an appropriation to cover the cost of implementing electronic forms of \$100k in FY 24 and a General Fund appropriation to cover the potential loss of Federal Funds of \$169,000 in FY 24 and FY 25. (This bill is currently in House ED&A and is set to be exec'd on 5/24/2023)</p>	<p>Erin Hennessey</p>	<p>G</p>	<p>\$0</p>	<p>\$269,000</p>	<p>\$169,000</p>	<p>\$438,000</p>
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Sen. Gray, Dist 6
May 4, 2023
2023-1669s
02/10

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new section:

2

3 1 Appropriation; Department of State; Online Election Information Portal. The sum of \$663,000
4 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of state for the
5 purpose of developing and maintaining an online election information portal. Such funds shall be
6 nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the
7 treasury not otherwise appropriated.

8 2 Effective Date. Section 1 of this act shall take effect June 30, 2023.

2023-1669s

AMENDED ANALYSIS

Add:

1. Makes an appropriation to the department of state for the purpose of developing and maintaining an online election information portal.

Sen. Gray, Dist 6
May 4, 2023
2023-1667s
05/10

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new sections:

2

3 1 Department of State; Appropriation. The sum of \$90,000 for the fiscal year ending June 30,
4 2023, is hereby appropriated to the department of state for the purpose of updating annual software
5 subscriptions and additional programming costs for the high-speed scanners enabling additional
6 Accuvote audits to be conducted. Such funds shall be nonlapsing. The governor is authorized to
7 draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

8 2 Effective Date. Section 1 of this act shall be effective June 30, 2023.

2023-1667s

AMENDED ANALYSIS

Add:

1. Makes an appropriation to the department of state for certain software updates and high speed scanners enabling additional Accuvote audits.

Amendment to HB 2-FN-A-LOCAL

1 Insert the following new section:

2

3 1 Bureau of Vital Records; Administration. The department of administrative services shall
4 work with the department of health and human services and the department of state to draft a plan
5 for the changes to accounting, budget, and any structures required to move the bureau of vital
6 records and the vital records improvement fund to be administered by the division of public health
7 rather than the department of state. Such plan shall include alternatives that minimize changes to
8 physical space or operations, maintaining the use of existing funding sources, as well as making no
9 changes to currently authorized positions, and examining the privacy and security protections for
10 compliance with the federal Health Insurance Portability and Accountability Act of 1996. The
11 department of administrative services shall present the plan and alternatives to the fiscal committee
12 of the general court before the submission deadline for the regularly scheduled November 2023
13 meeting.

SENATE FINANCE - 2023 BUDGET RECAP SHEET					
Police Standards and Training Council					
	Contact	SOF	FY 2023	FY 2024	FY 2025
1. In recognition of SB 130 (relative to a court security officer training program), provide funding for two (2) part-time Law Enforcement Training Specialist I positions. This includes salary and benefit costs, as well as other related costs such as workstations, computers, and uniforms. (AU 6639, Compare Page 1545)	Senator Gray / John Scippa, Director	GF	-	\$196,000	\$154,000
<u>Bills:</u>					
None.					

	Contact	SOF	FY 2023	FY 2024	FY 2025
1. In recognition of SB 130 (relative to a court security officer training program), provide funding for two (2) part-time Law Enforcement Training Specialist I positions. This includes salary and benefit costs, as well as other related costs such as workstations, computers, and uniforms. (AU 6639, Compare Page 1545)	Senator Gray / John Scippa, Director	GF	-	\$196,000	\$154,000

SENATE FINANCE - 2023 BUDGET RECAP SHEET

Office of the Child Advocate

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. Fund a new Public Relations Representative/Training Officer	Casandra Sanchez, Child Advocate	G	\$0	\$74,567	\$78,075	\$152,642
2. Additional Promotional -marketing costs		G	\$0	\$5,500	\$5,500	\$11,000
3. Additional current expense appropriation due to additional staff.		G	\$0	\$4,500	\$3,500	\$8,000
4. Delete case management enhancement of \$200,700 from House approved Budget. (See Below for adding funds to HB 2)	Senator Bradley	G	\$0	(\$200,000)	(\$700)	(\$200,700)
<u>Bills:</u>						
5. HB 2 - Amendment 2023-1668s Adds a \$200,700 appropriation for FY 2023 to the Office of the Child Advocate for case management enhancements.	Senator Bradley	G	\$200,700	\$0	\$0	\$200,700

Sen. Bradley, Dist 3
May 4, 2023
2023-1668s
02/10

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new section:

2

3 1 Appropriation; Office of the Child Advocate; Case Management System. The sum of \$200,700
4 for the fiscal year ending June 30, 2023, is hereby appropriated to the office of the child advocate for
5 the purpose of enhancing the case management system. Such funds shall be nonlapsing. The
6 governor is authorized to draw a warrant for said sum out of any money in the treasury not
7 otherwise appropriated.

8 2 Effective Date. This act shall take effect June 30, 2023.

2023-1668s

AMENDED ANALYSIS

Add:

1. Makes an appropriation to the office of the child advocate for the purpose of enhancing the case management system.

SENATE FINANCE - 2023 BUDGET RECAP SHEET

Judicial Branch

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
No additional requests.	Chief Justice, Gordon MacDonald Donna Raymond, Chief Financial Officer					
Bills:						
HB 2, Section 372 Amendment #2023-XXXXs to include an appropriation for the Judicial Branch to build a system to support electronic sharing of bail data with law enforcement.	Judicial Branch / Department of Safety	G	\$ 736,000	\$ -	\$ -	\$ -

SENATE FINANCE - 2023 BUDGET RECAP SHEET						
Department of Justice						
	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB1 Request to Convert a full-time temporary attorney position to a full-time permanent position. Position provides legal counsel to the PUC. No fiscal impact.	John Formella, Attorney General Kathy Carr, Director of Administration	O	\$0	\$0	\$0	\$0
2. HB1 Amendment to establish the Cyber Prosecution Unit. (See also HB 2 amendment #2023-1361s below)	Senator Rosenwald	O	\$0	\$0	\$415,549	\$415,549
3. HB1 Amendment to increase the appropriation for Child Advocacy Centers.	Senator Rosenwald	G	\$0	\$1,600,000	\$1,600,000	\$3,200,000
4. HB1 Amendment to increase the appropriation for Child Advocacy Centers.	Senator Pearl	G	\$0	\$50,000	\$50,000	\$100,000
5. HB1 Amendment to increase the appropriation to support the work of the New Hampshire Internet Crimes Against Children Task Force.	Senator Rosenwald	G	\$0	\$400,000	\$400,000	\$800,000
Bills:						
6. HB 2 Amendment #2023-1361s. Consumer Protection Settlement Funds.	Senator Rosenwald	G				
7. HB 2 Amendment #2023-1663s. Youth Development Center Claims Administration and Settlement Fund.	Senator Rosenwald	N/A				
8. SB 232 making an appropriation to support the work of the New Hampshire Internet Crimes Against Children Task Force.		G	\$0	\$400,000	\$400,000	\$800,000
9. HB 2 Amendment #2023-XXXX Establishing the Healthcare Consumer Protection Trust Fund and Healthcare Consumer Protection Advisory Commission	John Formella, Attorney General	N/A	\$0	\$0	\$0	\$0
10. H B2 Amendment #2023-1595s making an appropriation to support the work of the New Hampshire Internet Crimes Against Children Task Force in FY 2023.	Senator Bradley	G	\$800,000	\$0	\$0	\$800,000

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following:

2

3 1 New Subparagraph; Department of Justice; Consumer Protection and Antitrust Bureau.

4 Amend RSA 21-M:9, II by inserting after subparagraph (u) the following new subparagraph:

5 (v) Investigating and enforcing privacy and security of personal information and data
6 privacy rights.

7 2 The Attorney General; Disposition of Consumer Protection Settlement Funds Amend RSA 7:6-
8 f to read as follows:

9 7:6-f Disposition of Consumer Protection Settlement Funds. Any funds received by the attorney
10 general on behalf of the state or its citizens as a result of any civil judgment or settlement of a claim,
11 suit, petition, or other action under RSA 358-A or related consumer protection statutes shall be
12 deposited in a consumer protection escrow account. The consumer protection escrow account shall at
13 no time exceed [~~\$5~~] \$6 million, with any amount in excess of [~~\$5~~] \$6 million deposited into the
14 general fund, except as otherwise provided in RSA 126-A:83. The attorney general shall not include
15 language in any consumer protection settlement that restricts any payments to the state for
16 attorneys' fees, investigation and litigation costs, consumer education, or consumer protection
17 enforcement to the consumer protection escrow account or any other account or fund.

18 3 Effective Date. Section 2 of this act shall take effect July 1, 2024.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new sections:

2

3 1 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
4 M:11-a, I(g) to read as follows:

5 (g) "~~[Investigator]~~ **Fact facilitator**" means one or more individuals assigned by the
6 administrator to independently investigate a claim.

7 2 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
8 M:11-a, I(i) to read as follows:

9 (i) "Sexual abuse" means an incident of conduct which would constitute an offense under
10 RSA 632-A:2, RSA 632-A:3, or RSA 632-A:4, or a common law cause of action for assault or battery
11 that involves sexual contact or sexual penetration as defined by RSA 632-A:1. **Regardless of**
12 **whether physical contact or sexual contact has occurred, sexual abuse shall also include**
13 **acts defining an abused child under RSA 169-C:3, II, incidents of institutional child abuse**
14 **or neglect as defined under RSA 169-C:3, XVI, and acts constituting psychological abuse,**
15 **emotional abuse, child endangerment, trafficking in persons as contemplated by RSA**
16 **633:7, false imprisonment as contemplated by RSA 633:3, unlawful confinement, child**
17 **exploitation, and deprivation of educational rights.**

18 3 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
19 M:11-a, V to read as follows:

20 V. For all claims involving both sexual and physical abuse or sexual abuse only, no
21 individual claimant shall be paid more than \$1,500,000 in settlement of all claims in the aggregate.
22 For all claims involving physical abuse only, no individual claimant shall be paid more than
23 \$150,000 in settlement of all physical abuse claims in the aggregate. **The attorney general**
24 **designee and the administrator may authorize an individual claimant's settlement to be**
25 **more than \$1,500,000 when the nature and character of the acts of abuse, or the frequency**
26 **and duration of those acts, are so egregious that the deciding parties deem a higher**
27 **settlement necessary. In no instance shall any individual claimant be paid more than the**
28 **threshold amount at which a financial settlement would be subject to legislative approval**
29 **under RSA 14:35-b**

30 4 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
31 M:11-a, VIII (c)-(f) to read as follows:

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 (c) Once a claim is considered complete, the AG designee shall have 30 days to indicate
2 to the claimant and the administrator its position regarding the claim. The AG designee may agree
3 or disagree with the claim in whole or in part, and shall indicate whether he or she believes the
4 claim should be referred to ~~[an investigator]~~ **a fact facilitator**. The administrator may grant the
5 AG designee an extension of time to indicate its position for good cause shown.

6 (d) Following receipt of the AG designee's position, the administrator may refer a claim
7 to ~~[an investigator]~~ **a fact facilitator** if, in the administrator's independent judgment, an
8 investigation is needed. The administrator shall direct the investigator as to any particular aspects
9 of the claimant's claim for which the administrator seeks further information or verification, and in
10 such case, the investigation shall be limited to that scope. If the administrator elects not to refer a
11 claim to ~~[an investigator]~~ **a fact facilitator**, then the administrator shall so notify the AG designee
12 and the claimant, and advise the claimant in writing regarding his or her options: to accept the AG
13 designee's position, to request the administrator decide the claim, or to withdraw his or her claim
14 from further processing. Within 30 days of receiving the position of the AG designee, the claimant
15 shall indicate to the administrator and the AG designee whether he or she agrees with the AG
16 designee's position, whether he or she wishes for the administrator to decide the claim, or whether
17 he or she wishes to withdraw his or her claim from further processing. In the absence of an
18 indication from the claimant, the administrator may assume that the claimant is in agreement with
19 the position of the AG designee.

20 (e) The purpose of an investigation shall be to verify a claim, as submitted, if possible.
21 The investigation shall, to the greatest extent possible, be conducted in a trauma-informed,
22 respectful, and dignified manner. The investigation may include an interview of the claimant, which
23 may be conducted under oath and recorded. The ~~[investigator]~~ **fact facilitator** may also request to
24 review additional records related to the claim. The claimant shall be entitled to the assistance of an
25 advocate in connection with the investigation process who shall be allowed to accompany the
26 claimant during any interview. The claimant shall execute such documents or authorizations as
27 may be necessary to permit the ~~[investigator]~~ **fact facilitator** to access records. If the claimant is
28 represented by counsel, counsel shall also be allowed to attend any interview of the claimant. A
29 claim may be denied if a claimant refuses to cooperate with the investigation. Except in
30 extraordinary circumstances, investigations should be completed within 90 days of referral.

31 (f) The ~~[investigator]~~ **fact facilitator** shall present a report to the administrator of his
32 or her findings, which shall include a summary of any interviews conducted or records gathered, a
33 copy of any such supporting documentation, records and recordings. The administrator shall provide
34 a copy of the ~~[investigator's]~~ **fact facilitator's** report and supporting documentation to the claimant
35 and the AG designee once received.

36 5 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
37 M:11-a, IX(a) to read as follows:

Amendment to HB 2-FN-A-LOCAL

- Page 3 -

1 IX.(a) When a claimant requests that the administrator decide the claim, the administrator
2 shall schedule the claim for a resolution proceeding according to the procedures approved by the
3 joint fiscal committee. All resolution proceedings shall take place in the state of New Hampshire,
4 although parties and witnesses may attend by telephone or video conference in the discretion of the
5 administrator. To the greatest extent possible, claims shall be scheduled for resolution in the order
6 that they are received and determined to be complete, except that the administrator may also give
7 consideration to the time for which litigation may have been pending prior to the filing of a claim.
8 ~~[By requesting a resolution proceeding,]~~ **When a claimant accepts the administrator's decision**
9 **on the claim,** a claimant fully waives his or her right to seek other or additional monetary relief in
10 any forum from the state of New Hampshire or any of its agents or employees, or from any of its
11 political subdivisions or their agents or employees arising out of or relating to any incidents which
12 are or could have been the subject of a claim, except that the claimant does not waive his or her right
13 to seek or continue to seek relief in any forum from an individual whose direct, personal actions
14 constitute sexual abuse or physical abuse, even if said individual was a state employee at the time of
15 the acts. The administrator shall require a claimant to execute appropriate dismissals, waivers,
16 releases, or other documents as a condition of scheduling a resolution proceeding, provided that such
17 documents expressly preserve the right to pursue claims against individual perpetrators as
18 described.

Amendment to HB 2-FN-A-LOCAL

1 Insert the following new sections:

2

3 1 New Hampshire Internet Crimes Against Children Task Force; Appropriation. The sum of
4 \$800,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is
5 hereby appropriated to the New Hampshire internet crimes against children fund established in
6 RSA 21-M:17 for the purpose of hiring a cybertip manager, increasing hours dedicated to the task
7 force's mission for the investigators who are also employed by affiliate agencies, adding an
8 investigator to cover Grafton and Coos counties, and adding an investigator to cover Cheshire and
9 Sullivan counties, including equipment necessary to outfit some of the added affiliate agencies with
10 computer and software equipment so they may contribute to NHICAC's overall mission. The
11 governor is authorized to draw a warrant for said sum out of any money in the treasury not
12 otherwise appropriated.

13 2 Effective Date. Section 1 of this act shall take effect June 30, 2023.

AMENDED ANALYSIS

Add:

1. Makes an appropriation to the internet crimes against children fund to support the work of the Internet Crimes Against Children Task Force.

SENATE FINANCE - 2023 BUDGET RECAP SHEET

NH Human Rights Commission

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. Reinstate funding for existing part-time Intake Coordinator	Ahni Malachi, Executive Director	G	\$0	\$63,970	\$68,189	\$132,159
2. Informational Representative position to provide training, organize outreach and coordinate educational events.		G	\$0	\$81,908	\$79,615	\$161,523
3. Convert a part-time Paralegal II position to full-time		G	\$0	\$67,027	\$69,542	\$136,569
4. Convert a part-time Secretary II position to full-time.		G	\$0	\$56,150	\$58,164	\$114,314
5. Add an additional Anti-Discrimination Investigator I position		G	\$0	\$86,415	\$84,537	\$170,952
6. Additional "fit-up" funds for new office space		G	\$0	\$300,000	\$0	\$300,000
7. Additional rent appropriation for anticipated relocation to new office space.		G	\$0	\$4,000	\$4,000	\$8,000
<u>Bills:</u>						
None.						

SENATE FINANCE - 2023 BUDGET RECAP SHEET

Department of Energy

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB1 Remove Accounting Unit #1890 Renewable Energy Fund	Jared Chicoine, Commissioner / Senator Bradley	O	\$0	(\$2,713,627)	(\$2,733,599)	(\$5,447,226)
2. HB1 Remove Accounting Unit #1895 Greenhouse Energy Efficiency Fund	Jared Chicoine / Senator Bradley	O	\$0	(\$21,143,109)	(\$21,143,109)	(\$42,286,218)
3. HB1 Remove Position #17108 from the abolished positions list in HB1, Section 5 and fund it in A/U #1889 Regulatory (Utility Assessment funds)	Jared Chicoine / Senator Bradley	O	\$0	\$103,014	\$108,233	\$211,247
4. HB1 Remove positions #14344, #14356, and #30520 from the abolished positions list in HB1, Section 5 and fund them in A/U #1891 Administrative Support. (Utility Assessment Funds)	Jared Chicoine / Senator Bradley	O	\$0	\$270,310	\$283,295	\$553,605
<i>Lapse of general funds from the state emergency fuel assistance program, the supplemental electric benefit, and the electric low-income program fund. (Chapter 346 L'22 (HB 2023))</i>		G	(\$30,000,000)	\$0	\$0	(\$30,000,000)

Bills:

None.

SENATE FINANCE - 2023 BUDGET RECAP SHEET

New Hampshire Liquor Commission

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. Request to increase the overtime and benefit amounts for the drug task force account.	Joe Mollica, Commissioner Tina Demers, Chief Financial Officer.	Other	\$0	\$20,000	\$0	\$20,000
2. HB 1 Amendment to remove handheld PC's from the operating budget. HB 2 Amendment #2023-1671s to appropriate \$400,000 for handheld PC's from FY 2023 funds.	Senator Bradley	Other	\$400,000	(\$200,000)	(\$200,000)	\$0
<u>Bills:</u>						
3. HB2 Amendment #2023-1427s. Senator Rosenwald. Amends RSA 176:16, III regarding the transfer of five percent of gross profits derived from the sale of liquor to the alcohol abuse prevention and treatment fund.						
4. HB2 Amendment #2023-1535s. Senator D'Allesandro. Deletes section 361 relative to the closure of state liquor stores.						

Sen. Bradley, Dist 3
May 4, 2023
2023-1671s
08/10

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new sections:

2

3 1 Appropriation; Liquor Commission; Handheld Personal Computers. The sum of \$400,000 is
4 hereby appropriated in the fiscal year ending June 30, 2023, to the liquor commission for the
5 purchase of handheld personal computers for use at the commission's retail stores. This
6 appropriation shall not lapse. Said appropriation shall be a charge against the liquor commission
7 fund under RSA 176:16.

8 2 Effective Date. Section 1 of this act shall take effect June 30, 2023.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Liquor Commission Funds; Alcohol Abuse Prevention and Treatment Fund. Amend RSA
2 176:16, III to read as follows:

3 III. Five percent of the [~~previous~~] **preceding** fiscal year gross profits derived by the
4 commission from the sale of liquor shall be deposited into the alcohol abuse prevention and
5 treatment fund established by RSA 176-A:1. For the purpose of this section, gross profit shall be
6 defined as total operating revenue minus the cost of sales and services as presented in the state of
7 New Hampshire **annual** comprehensive [~~annual~~] financial report, statement of revenues, expenses,
8 and changes in net position for proprietary funds. ***Such deposit shall be processed in 2***
9 ***installments as follows:***

10 (a) ***The commission shall process the initial deposit on or before August 1st of***
11 ***the ensuing fiscal year. Such deposit shall be calculated based on an estimate of the***
12 ***preceding fiscal year gross profit derived by the commission from the sale of liquor.***

13 (b) ***Upon issuance of the audited annual comprehensive financial report***
14 ***pursuant to RSA 21-I:8, II(a), the commission shall process a second and final deposit or***
15 ***adjustment.***

16 (c) ***If the amount of the initial deposit exceeds the final amount calculated***
17 ***based on the audited annual comprehensive financial report pursuant to RSA 21-I:8, II(a),***
18 ***the comptroller shall transfer the excess amount from the alcohol abuse prevention and***
19 ***treatment fund established by RSA 176-A:1 to the liquor fund.***

Sen. D'Allesandro, Dist 20
April 26, 2023
2023-1535s
08/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 361, related to the closure of state liquor stores.

2023-1535s

AMENDED ANALYSIS

Delete:

106. Requires the liquor commission to submit a revised indirect cost allocation plan to the fiscal committee of the general court and the governor and council prior to closing a liquor store.

UNAPPROVED

SENATE FINANCE - 2023 BUDGET RECAP SHEET

Department of Corrections

	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
No additional requests.	Helen Hanks, Commissioner Jonathan Hanson, Director of Administration					
<u>Bills:</u>						
HB2 Request - Restoration of the additional appropriation to the State Prison Fund for the purpose of design and construction of a new state prison.		G		\$40,000,000	\$0	\$40,000,000