

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES SPECIAL MEETING

June 8, 2021

The Fiscal Committee of the General Court met on Tuesday, June 8, 2021, at 10:00 a.m. via Zoom Webinar.

Members in attendance were as follows:

Representative Ken Weyler, Chairman  
Representative Lynne Ober  
Representative Tracy Emerick  
Representative Karen Umberger  
Representative Mary Jane Wallner (Alternate)  
Representative Jess Edwards (Alternate)  
Senator Gary Daniels  
Senate President Chuck Morse  
Senator Bob Giuda  
Senator Cindy Rosenwald  
Senator Lou D'Allesandro

The Zoom Webinar convened at 10:02 a.m., with the assistance of Michael Kane, Legislative Budget Assistant.

OFFICIAL AUDIO CONFERENCE MEETING PROCEDURES:

The Chair opened the meeting with the following Right-to-Know checklist;

*“As Chair of the Fiscal Committee, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 Pandemic, and in accordance with House Rule 67 and the Governor's Emergency Order #12, pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. This is a special meeting of the Committee.”*

*“Please note that there is no physical location for members of the public to observe and listen contemporaneously to this meeting. However, in accordance with the Emergency Order, I am confirming that; all Members of the Committee and select legislative staff have the ability to communicate contemporaneously during this meeting through the Zoom electronic meeting platform; and the public has access to contemporaneously listen and, if necessary, participate in this meeting by the Zoom platform or by telephone.”*

*“All necessary access information has been made available in the House and Senate Calendars, and through the electronic calendar on the General Court website. The notice for this meeting complies with House Rules and RSA 91-A. Anyone who has a problem accessing the meeting should e-mail LBA\_Fiscal@leg.state.nh.us.”*

*“In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. LBA staff are on the meeting assisting us. Please note that all votes taken during this meeting will be done by roll call vote”*

The Chair announced that there would be a deviation from normal procedures for this meeting, in that the Committee normally only approves funding that is applied to the current biennium; however, as the American Recovery Act funds extend beyond the biennium the Committee will deviate from normal procedures to approve these funds and future funds as they are submitted.

ATTENDANCE ROLL CALL:

The Chair called the meeting to order and asked Representative Umberger to call the Roll, requesting that members acknowledge their presence, state their location and if others are present.

Representative Umberger called the Roll of voting members.

Representative Weyler – Present/in Kingston, alone

Representative Ober – Present/at home in Hudson and her husband is in the house

Representative Emerick – Present/in his home office in Hampton, alone

Representative Umberger – Present/at home in Kearsarge, and her husband is in the house

Representative Wallner – Present/at home in Concord, and her husband is in the house

Senator Daniels – Present/in his home office in Milford, alone

Senator Morse – Present/in his State House Office in Concord, alone

Senator Giuda – Present/at home in Warren, and his daughter and grandson are nearby

Senator Rosenwald – Present/at home in Nashua, alone

Senator D’Allesandro – Present/at home in Manchester, and his wife is in the house

NEW BUSINESS:

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE:

CONSENT CALENDAR

The Chair announced that request FIS 21-139 Department of Health and Human Services was removed from the Consent Calendar.

On a motion by Representative Ober, seconded by Representative Emerick, that the Committee approve the remaining requests under this section as submitted. [FIS 21-137 Department of Corrections – authorization to accept and expend \$2,146,950 in federal American Rescue Plan (ARP) State and Local Fiscal Recovery Funds (FRF) in a new accounting unit, for the purpose of installing new air handlers and ductwork in the NH State Prison for Men, Concord for the period of July

1, 2021 through June 30, 2023, FIS 21-140 Department of Health and Human Services – authorization to accept and expend federal funds in the amount of \$7,993,260 from the American Rescue Plan Act (ARPA) to fund improvements in New Hampshire’s mental health system, as outlined in Executive Order 2021-09, effective upon approval through June 30, 2023, FIS 21-144 Police Standards and Training Council – authorization to; 1) accept and expend \$935,850 in federal American Rescue Plan (ARP) State and Local Fiscal Recovery Funds (FRF) for the purpose of range ventilation and filtration upgrades as government services under Section 602 (c)(1)(C) and \$522,975 for air conditioner replacements as an allowed Public Health eligible use for a ventilation improvement to a school which is partially residential, for a total of \$1,458,835 for the period of July 1, 2021 through June 30, 2023, and FIS 21-146 Governor’s Office for Emergency Relief And Recovery – authorization to accept and expend \$6,196,000 in federal American Rescue Plan (ARP) State Fiscal Recovery Funds (FRF) to fund GOFERR disbursements upon approval through June 30, 2023]

A roll call was taken, and the results were as follows:

Representative Ober – Yes  
Representative Emerick – Yes  
Representative Umberger – Yes  
Representative Wallner (Alternate) – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes  
Senator D’Allesandro – Yes  
Representative Weyler – Yes           (10-Yes; 0-No)  
MOTION ADOPTED

FIS 21-139 Department of Health and Human Services – Kerrin Rounds, Chief Financial Officer, Deborah Scheetz, Director, Long Term Supports and Services, Katja Fox, Director, Division for Behavioral Health, Heather Moquin, Chief Executive Officer, NH Hospital, Henry Lipman, Director of Medicaid, Division of Medicaid Services, and Joseph Caristi, Chief Financial Officer, NH Hospital, Department of Health and Human Services responded to questions of the Committee regarding; 1) the Psychiatric Long Term Care and Assisted Living Expansion, specifically the availability of additional beds in the long-term care facilities without impacting the normal long term care needs, and 2) Expansion of Transitional Housing Scope of Services at the PATH Center, which increases staffing necessary to serve individuals with more complex needs but does not add new beds. The Committee also inquired as to what progress was being made for an increase in beds for Designated Receiving Facilities for Psychiatric Care Expansion for Adults; following up with questions regarding Psychiatric Care Expansion for Children; and the Department’s plan for returning to Fiscal for Homeless Shelter Rate Increases.

The Department added, for the record, a point of clarification on #1 that the special case rate per diem is paid out of the Medicaid budget, if they are Medicaid eligible.

On a motion by Senator D’Allesandro, seconded by Representative Ober, that the Committee approve the request of the Department of Health and Human Services to retroactively

accept and expend federal funds in the amount of \$13,137,051 from the American Rescue Plan Act (ARPA) to fund improvements in New Hampshire's mental health system, as outlined in Executive Order 2021-09, effective retroactive to May 17, 2021 through June 30, 2023.

A roll call was taken, and the results were as follows:

Representative Ober – Yes  
Representative Emerick – Yes  
Representative Umberger – Yes  
Representative Wallner (Alternate) – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes  
Senator D'Allesandro – Yes  
Representative Weyler – Yes (10-Yes; 0-No)  
MOTION ADOPTED

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE AND RSA 124:15 POSITIONS AUTHORIZED:

CONSENT CALENDAR

The Chair announced that requests FIS 136 Department of Business and Economic Affairs, FIS 21-138 Department of Environmental Services, FIS 21-142 Department of Justice, and FIS 21-143 Department of Natural and Cultural Resources be removed from the Consent Calendar.

On a motion by Representative Ober, seconded by Representative Emerick, that the Committee approve the remaining requests as submitted under this section. [FIS 21-135 Department of Administrative Services – authorization for the period of July 1, 2021 through June 30, 2023 to; 1) accept and expend \$24,807,100 in federal American Rescue Plan (ARP) State and Local Fiscal Recovery Funds (FRF), for the purpose of COVID-19 related Deferred Maintenance – HVAC Replacements and Repairs, and 2) subject to approval of request #1, authorization to establish three (3) full-time temporary positions consisting of; two (2) Administrator II positions and an Administrator I, FIS 21-141 Department of Information Technology – authorization for the period of July 1, 2021 through June 30, 2023 to; 1) accept and expend \$6,407,187 in federal American Rescue Plan (ARP) State and Local Fiscal Recovery Funds (FRF), in support of DoIT's response to the COVID-19 public health emergency and \$23,600,000 for government services under Section 602(c)(1)(C), and 2) establish Class 046 Consultants for the purpose of hiring independent professional services for installation and configuration of hardware, software, cyber threat analysis support and assistance with the management of platform and resource utilization, and FIS 21-145 Department of Safety – authorization for the period of July 1, 2021 through June 30, 2023 to; 1) accept and expend \$921,230 in federal American Rescue Plan (ARP) State and Local Fiscal Recovery Funds (FRF), consisting of \$750,750 for upgrades to the State Emergency Operations Center and \$170,480 for conducting school threat assessments, and 2) contingent

upon approval of request #1, authorization to establish two (2) part-time Field Representative II positions to conduct school threat assessments]

A roll call was taken, and the results were as follows:

Representative Ober – Yes  
Representative Emerick – Yes  
Representative Umberger – Yes  
Representative Wallner (Alternate) – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes  
Senator D’Allesandro – Yes  
Representative Weyler – Yes (10-Yes; 0-No)  
MOTION ADOPTED

FIS 21-136 Department of Business and Economic Affairs – Representative Ober stated for clarification that SB 83 originally put the broadband in the Office of Strategic Initiatives (OSI) which is being disbanded effective July 1<sup>st</sup>, and with Senator Bradley’s help the bill was amended so that the broadband funds would go forward after July 1<sup>st</sup>, pending approval of the budget, and she wished to make sure the Committee was aware that budget transfers would have to occur, once the budget was passed, to make sure the funds went to the correct agency. Taylor Caswell, Commissioner, Department of Business and Economic Affairs, responded to questions of the Committee.

On a motion by Representative Ober, seconded by Representative Emerick, that the Committee approve the request of the Department of Business and Economic Affairs for the period of July 1, 2021 through June 30, 2023 to; 1) accept and expend \$659,734 in federal American Rescue Plan (ARP) State and Local Fiscal Recovery Funds (FRF), for the purpose of improving the State of New Hampshire’s broadband infrastructure, in support of the Broadband Connectivity Program, and 2) subject to approval of request #1, authorization to establish three (3) full-time temporary positions consisting of; an Administrator II, a Business Administrator II, and an Accountant II.

A roll call was taken, and the results were as follows:

Representative Ober – Yes  
Representative Emerick – Yes  
Representative Umberger – Yes  
Representative Wallner (Alternate) – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes

Senator D'Allesandro – Yes  
Representative Weyler – Yes (10-Yes; 0-No)  
MOTION ADOPTED

FIS 21-138 Department of Environmental Services – Robert Scott, Commissioner, Department of Environmental Services, responded to questions of the Committee, and clarified that general funds would not be used when the federal funds run out.

On a motion by Senator Morse, seconded by Representative Ober, that the Committee approve the request of the Department of Environmental Services for the period of July 1, 2021 through June 30, 2023 to; 1) accept and expend \$50,000,000 in federal funds from the American Rescue Plan Act of 2021 (ARPA) to fund investments in drinking water, and wastewater infrastructure, and 2) authorization to establish seven (7) full-time temporary positions consisting of; a Business Administrator II, an Accountant II, a Civil Engineer III, an Environmental Program Manager, two (2) Environmentalist III positions, and a Sanitary Engineer III.

A roll call was taken, and the results were as follows:

Representative Ober – Yes  
Representative Emerick – Yes  
Representative Umberger – Yes  
Representative Wallner (Alternate) – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes  
Senator D'Allesandro – Yes  
Representative Weyler – Yes (10-Yes; 0-No)  
MOTION ADOPTED

FIS 21-142 Department of Justice – John Formella, Attorney General, Department of Justice responded to questions of the Committee regarding if the request is a proper use of the funds; to which he stated that under the ARPA funds the requested funds would come out of the revenue replacement pot and could be used.

On a motion by Senator Daniels, seconded by Senator Morse, that the Committee approve the request of the Department of Justice through June 30, 2023 to; 1) accept and expend federal funds in the amount of \$1,429,178 from the American Rescue Plan (ARP) State Fiscal Recovery Funds (FRF), to fund investigation and prosecution of the criminal acts that occurred at the Youth Detention Center (YDC), and 2) contingent upon approval of request #1, authorization to create four (4) full-time temporary Attorney positions, one (1) full-time temporary Paralegal II position, and one (1) full-time temporary Legal Assistant III.

A roll call was taken, and the results were as follows:

Representative Ober – Yes  
Representative Emerick – Yes  
Representative Umberger – Yes  
Representative Wallner (Alternate) – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes  
Senator D’Allesandro – Yes  
Representative Weyler – Yes (10-Yes; 0-No)  
MOTION ADOPTED

FIS 21-143 Department of Natural and Cultural Resources – Sarah Stewart, Commissioner, Department of Natural and Cultural Resources presented the request and responded to question of the Committee regarding which fire towers were to be improved.

On a motion by Representative Ober, seconded by Representative Emerick, that the Committee approve the request of the Department of Natural and Cultural Resources for the period of July 1, 2021 through June 30, 2023 to; 1) accept and expend \$22,654,407 in federal American Rescue Plan (ARP) State and Local Fiscal Recovery Funds (FRF) for the purpose of infrastructure investments to the State of New Hampshire’s Parks and Recreation and State Land Reservation system, and 2) subject to approval of request #1, authorization to establish one (1) full-time temporary Public Works Project Manager II position.

A roll call was taken, and the results were as follows:

Representative Ober – Yes  
Representative Emerick – Yes  
Representative Umberger – Yes  
Representative Wallner (Alternate) – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes  
Senator D’Allesandro – Yes  
Representative Weyler – Yes (10-Yes; 0-No)  
MOTION ADOPTED

DATE OF NEXT MEETING AND ADJOURNMENT:

The next regular meeting of the Fiscal Committee was previously scheduled for Friday, June 18, 2021, at 10:00 a.m.

By Committee consensus the meeting adjourned at 11:02 a.m.

  
Representative Karen Umberger, Clerk