

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES  
September 17, 2021

The Fiscal Committee of the General Court met on Friday, September 17, 2021, at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

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

The Chair called the meeting to order at 10:00 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator D'Allesandro, seconded by Representative Emerick, that the Committee approve the minutes of the August 20, 2021 meeting as written. MOTION ADOPTED.

OLD BUSINESS:

FIS 21-232 Additional Information Department of Health and Human Services – dated August 25, 2021 for tabled item FIS 21-232 Department of Health and Human Services – authorization to accept and expend \$6,356,500 in federal funds through March 14, 2023. Tabled 08/20/2021

On a motion by Senator D'Allesandro, seconded by Representative Edwards, that the item be removed from the table. MOTION ADOPTED. (9-Yes; Senator Giuda voted No)

Katja Fox, Director, Division for Behavioral Health, and Kerrin Rounds, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Rosenwald, that the Committee approved the request of the Department of Health and Human Services to accept and expend \$6,356,500 in federal funds through March 14, 2023. MOTION ADOPTED. [8-Yes; Senators Daniels and Giuda voted No)

RSA 9:16-a. II. TRANSFERS AUTHORIZED:

CONSENT CALENDAR

At the requests of Representative Umberger and Representative Edward's, respectively, FIS 21-246 Department of Education and FIS 21-275 Department of Health and Human Services were removed from the Consent Calendar.

FIS 21-246 Department of Education – Frank Edelblut, Commissioner, and Tammy Vaillancourt, Chief Financial Officer, Department of Education responded to questions of the Committee. Charles Arlinghaus, Commissioner, Department of Administrative Services was also available to respond to questions.

On a motion by Representative Umberger, seconded by Senator Daniels, that the Committee approve the request of the Department of Education to transfer \$986,000 in general funds in and among accounting units through June 30, 2022. MOTION ADOPTED.

FIS 21-275 Department of Health and Human Services – Lori Shibinette, Commissioner, and Kerrin Rounds, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee.

For adequate transparency the Committee requested Commissioner Shibinette provide in writing her description of what the requested funds will cover pertaining to Standup Statewide Testing Sites and Mobile Vaccination Sites, to be included in the meeting minutes.

On a motion by Representative Edwards, seconded by Senator Giuda, that the Committee approve the request of the Department of Health and Human Services to transfer \$20,000,000 between class lines through December 31, 2021. MOTION ADOPTED.

RSA 9:16-a. II. TRANSFERS AUTHORIZED AND RSA 9:16-c. I. TRANSFER OF FEDERAL GRANT FUNDS:

CONSENT CALENDAR

On a motion by Senator Giuda, seconded by Representative Wallner, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 21-266 Department of Health and Human Services – authorization to transfer \$3,218,576 in general funds, \$631,991 in other funds, and \$5,000 in federal funds between various class lines through June 30, 2022]

RSA 9:16-c. I. TRANSFER OF FEDERAL GRANT FUNDS:

CONSENT CALENDAR

On a motion by Senator D'Allesandro, seconded by Representative Umberger, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 21-267 Department of Education – authorization to transfer \$2,412,483 in FY22 and \$2,360,000 in FY23 in federal funds through June 30, 2023]

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

On a motion by Senator D’Allesandro, seconded by Senator Rosenwald, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 21-247 Department of Agriculture, Markets and Food – authorization to accept and expend \$500,000 in other funds through August 31, 2022, FIS 21-248 New Hampshire Fish and Game Department – authorization to accept and expend \$225,854 in federal funds through June 30, 2023, FIS 21-253 Department of Natural and Cultural Resources – authorization to retroactively amend FIS 21-010, approved January 15, 2021, by extending the end date from June 30, 2021 to December 30, 2021, and FIS 21-269 New Hampshire Employment Security – authorization to accept and expend \$3,385,214 in federal funds through June 30, 2023]

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

AMERICAN RESCUE PLAN 2021  
CONSENT CALENDAR

At the request of the Committee Department of Education FIS 21-268, and Department of Health and Human Services items FIS 21-249, FIS 21-251, and FIS 21-271 were removed from the Consent Calendar.

On a motion by Representative Emerick, and seconded by Senator Rosenwald, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 21-250 Department of Health and Human Services – authorization to accept and expend \$478,615 in federal Family Violence Prevention and Services Act Grant – American Rescue Plan Act (ARPA) of 2021 funds through June 30, 2023, FIS 21-252 Department of Justice – authorization to accept and expend \$5,000,000 in federal American Rescue Plan Act of 2021 (ARPA) State Fiscal Recovery Funds (SFRF), FIS 21-254 Department of Transportation – authorization to accept and expend \$956,245 in federal American Rescue Plan Act (ARPA) funds and administered via the Federal Aviation Administration (FAA) through June 30, 2023, and FIS 21-270 Department of Health and Human Services – authorization to accept and expend \$754,823 in federal funds to fund Advanced Molecular Detection (AMD) Sequencing and Analytics and Strengthening PHL Preparedness as mandated by the American Rescue Plan through June 30, 2023]

FIS 21-249 Department of Health and Human Services – Lori Shibinette, Commissioner, Kerrin Rounds, Chief Financial Officer, and Joseph Ribsam, Director, Division Children, Youth and Families, Department of Health and Human Services responded to questions of the Committee.

On a motion by Representative Edwards, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$346,191 in federal American Rescue Plan Act (ARPA) funds through June 30, 2023. MOTION ADOPTED.

FIS 21-251 and FIS 21-271 Department of Health and Human Services – Lori Shibinette, Commissioner, Kerrin Rounds, Chief Financial Officer, and Katja Fox, Director, Division for Behavioral Health, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator Giuda, seconded by Representative Edwards, the Committee approve as a block Department of Health and Human Services requests (FIS 21-251) to accept and expend \$5,640,385 in federal American Rescue Plan Act (ARPA) of 2021, Substance Abuse and Treatment Block Grant funds through June 30, 2023, and (FIS 21-271) to accept and expend \$4,784,932 in federal American Rescue Plan Act (ARPA) of 2021 funds through June 30, 2023 **and that the Department submit a report in six months with metrics to include: the rates of repeated utilization for people in the drug treatment programs funded by these sources, effectiveness of the drug programs, and the relapse rates.** MOTION ADOPTED.

FIS 21-268 Department of Education – Frank Edelblut, Commissioner, and Tammy Vaillancourt, Chief Financial Officer, Department of Education responded to questions of the Committee.

On a motion by Senator Giuda, seconded by Senator Daniels, that the Committee approve the request of the Department of Education to accept and expend \$2,276,624 in federal American Rescue Plan Elementary and Secondary Schools Emergency Relief Funds – Homeless Children and Youth (ARP-HCY) through June 30, 2023. MOTION ADOPTED.

The Department was asked to explain how they identify homeless students and will report back to the Committee at a later date.

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 all four items under the Consent Calendar were removed from the Consent Calendar to be discussed and voted on separately.

FIS 21-255 and FIS 21-256 Department of Health and Human Services – Lori Shibinette, Commissioner, Kerrin Rounds, Chief Financial Officer, Patricia Tilley, Director, Division of Public Health Services, and Doctor Beth Daly, Bureau of Disease Control, Department of Health and Human Services responded to questions of the Committee.

On a motion by Representative Edwards, seconded by Senator Giuda, that the Committee table the requests of the Department of Health and Human Services (FIS 21-255) for authorization through June 30, 2023 to; 1) accept and expend \$22,495,752 in federal funds to fund the Immunization Program as mandated by the American Rescue Plan, and 2) contingent upon approval of request #1, authorization to create twelve (12) full-time temporary new positions consisting of; a Program Specialist III, a Program Specialist IV, five (5) System Development Specialist III's, and five (5) System Development Specialist IV's, and (FIS 21-256) for authorization through June 30, 2023 to; 1) accept and expend \$4,500,544 in federal

funds, and 2) contingent upon approval of request #1, authorization to create one (1) temporary full-time Public Health Program Manager position.

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

Representative Edwards – Yes  
Representative Emerick – Yes  
Representative Umberger – Yes  
Representative Wallner (Alternate) – No  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – No  
Senator D’Allesandro – No  
Representative Weyler – Yes (7-Yes; 3-No)  
MOTION ADOPTED.

FIS 21-257 Department of Health and Human Services – Lori Shibinette, Commissioner, Kerrin Rounds, Chief Financial Officer, and Patricia Tilley, Director, Division of Public Health Services, Department of Health and Human Services responded to questions of the Committee.

On a motion by Representative Edwards, seconded by Senator Giuda, that the Committee table the request of the Department of Health and Human Services for authorization through June 30, 2023 to; 1) accept and expend \$847,458 in federal funds to fund the Strengthening STD Prevention and Control program as mandated by the American Rescue Plan, and 2) contingent upon approval of request #1, authorization to create five (5) full-time temporary positions consisting of; two (2) Infectious Disease Care Coordinators, a Compliance Specialist, a Public Health Detailing Specialist, and a Public Health Workforce Development Specialist (all Program Specialist IV’s).

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

Representative Edwards – Yes  
Representative Emerick – Yes  
Representative Umberger – No  
Representative Wallner (Alternate) – No  
Senator Daniels – Yes  
Senator Morse – No  
Senator Giuda – Yes  
Senator Rosenwald – No  
Senator D’Allesandro – No  
Representative Weyler – Yes (5-Yes; 5-No)  
MOTION FAILED.

On a motion by Senator Daniels, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Health and Human Services for authorization through June 30, 2023 to; 1) accept and expend \$847,458 in federal funds to fund the Strengthening STD Prevention and Control program as mandated by the American Rescue Plan, and 2) contingent upon approval of request #1, authorization to create five (5) full-time temporary positions consisting of; two (2) Infectious Disease Care Coordinators, a Compliance Specialist, a Public Health Detailing Specialist, and a Public Health Workforce Development Specialist (all Program Specialist IV's).

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

Representative Edwards – 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 – No (9-Yes; 1-No)  
MOTION ADOPTED.

FIS 21-272 Department of Natural and Cultural Resources – On a motion by Representative Emerick, seconded by Senator Daniels, that the Committee approve the request of the Department of Natural and Cultural Resources for authorization through June 30, 2023 to; 1) accept and expend \$758,900 in federal American Rescue Plan Act (ARPA) funds, and 2) contingent upon approval of request #1, authorization to establish a temporary part-time Grants and Contract Technician (LG 15) position. MOTION ADOPTED.

LATE ITEM:

FIS 21-276 Department of Education – On a motion by Senator Daniels, seconded by Senator Morse, that the Committee approve the request of the Department of Education to accept and expend \$9,723,558 in federal Individuals with Disabilities Education Act/American Rescue Plan Act of 2021 funds through June 30, 2023. MOTION ADOPTED.

FIS 21-277 Department of Education – On a motion by Senator Giuda, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Education to accept and expend \$793,409 in federal Individuals with Disabilities Education Act/American Rescue Plan Act of 2021 funds through June 30, 2023. MOTION ADOPTED.

FIS 21-278 Department of Education – Frank Edelblut, Commissioner, and Tammy Vaillancourt, Chief Financial Officer, Department of Education responded to questions of the Committee.

On a motion by Senator Daniels, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Education to accept and expend \$116,893,404 in federal American Rescue Plan, Elementary and Secondary School Emergency Relief (ARP ESSER) funds through June 30, 2023. MOTION ADOPTED.

Senator Morse excused himself to leave for another meeting and proposed that the Committee could meet on October 1<sup>st</sup> to take up the tabled items, discuss the draft Comprehensive Annual Financial Report, and receive additional information from the Department of Safety on the request to FEMA for the July 17-19 and July 29-August 2, 2021 flood events.

**Corrected to read** "The Committee requested the Department of Education return to the October 1<sup>st</sup> meeting with an update on the Voucher Program, the number of students enrolled, where the students were from, if that district had a mask mandate policy, and what effect it might have on the budget."

LATE INFORMATIONAL ITEM:

FIS 21-279 Department of Safety – Steven Lavoie, Director of Administration, and Jennifer Harper, Director of Homeland Security, Department of Safety spoke to the July Flood Disaster informational item, dated September 13, 2021, and responded to questions of the Committee.

FIS 21-280 Department of Health and Human Services – Lori Shibinette, Commissioner, Kerrin Rounds, Chief Financial Officer, and Henry Lipman, Director, Division of Medicaid Services, Department of Health and Human Services spoke to the Operating Statistics SFY22 Dashboard report, dated September 14, 2021, and responded to questions of the Committee.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Insurance Department, Financial Audit Report For The Nine Months Ended March 31, 2021 – Stephen Smith, Director of Audits, and Kimberly Bisson, Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Christopher Nicolopoulos, Commissioner, David J. Bettencourt, Deputy Commissioner, and Christie Rice, Assistant Commissioner, New Hampshire Insurance Department were also present to address the Committee and respond to questions.

On a motion by Representative Umberger, seconded by Senator Daniels, that the report be accepted, placed on file, and released in the usual manner. MOTION ADOPTED.



DATE OF NEXT MEETING AND ADJOURNMENT:

The Chair scheduled a special meeting of the Fiscal Committee for Friday, October 1, 2021 at 10:00 a.m. and scheduled the next regular meeting for Friday, October 22, 2021 at 10:00 a.m., both to be held in Room 210-211 of the Legislative Office Building.

On a motion by the Chair the meeting adjourned at approximately 12:48 p.m.

  
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Representative Karen Umberger, Clerk  
