

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

November 19, 2021

The Fiscal Committee of the General Court met on Friday, November 19, 2021, at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Karen Umberger, Chairman  
Representative Jess Edwards  
Representative Tracy Emerick  
Representative Keith Erf  
Representative Peter Leishman  
Representative Bob Lynn (Alternate)  
Representative Mary Jane Wallner (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 10:12 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator Giuda, seconded by Senator Rosenwald, that the Committee approve the minutes of the September 17, 2021 meeting as corrected. MOTION ADOPTED. (7-Yes; 2-Abstained)

On a motion by Senator D'Allesandro, seconded by Senator Giuda, that the Committee approve the minutes of the October 22, 2021 meeting as written. MOTION ADOPTED.

OLD BUSINESS:

None

RSA 14:30-a, III AUDIT TOPIC RECOMMENDATION BY LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE:

FIS 21-360 Letter from Senator John Reagan, Vice Chair of the Legislative Performance Audit and Oversight Committee – On a motion by Senator Giuda, seconded by Senator D'Allesandro, that the Committee approve the request of the Legislative Performance Audit and Oversight Committee relative to the recommendation of the following performance audit topic: Licensing Processes And Procedures For The Mental Health Workforce. MOTION ADOPTED.

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

CONSENT CALENDAR

At the request of Senator Rosenwald, FIS 21-352 Department of Health and Human Services was removed from the Consent Calendar.

On a motion by Senator D’Allesandro, seconded by Senator Rosenwald, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 21-316 Department of Transportation – authorization to transfer \$192,000 in federal funds between various classes through June 30, 2022, FIS 21-327 Department of Business and Economic Affairs – authorization to transfer \$7,600 in other funds between classes and create a new expenditure class for class 042 Additional Fringe Benefits through June 30, 2023, and FIS 21-333 Department of Transportation – authorization to transfer \$1,400,000 in highway funds between various accounting units and classes through June 30, 2023]

FIS 21-352 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 Senator Rosenwald, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Health and Human Services to transfer other funds in the amount of \$2,700,000 between class lines through April 1, 2022.

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

Representative Edwards – Yes  
Representative Emerick – Yes  
Representative Erf – Yes  
Representative Leishman – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes  
Senator D’Allesandro – Yes  
Representative Umberger – Yes (10-Yes; 0-No)  
MOTION ADOPTED

RSA 9:16-a, I. TRANSFERS AUTHORIZED, AND RSA 124:15, POSITIONS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator Giuda, seconded by Senator D’Allesandro, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 21-334 Office of Professional Licensure and Certification – authorization to; 1) transfer \$258,942 in other funds from class

40 to classes 59 and 60 through June 30, 2022, and 2) authorization through June 30, 2023 to; continue three (3) full-time temporary License Associates (LG 11), and further authorization to establish six (6) full-time temporary positions consisting of; five (5) new License Associates (LG 11) and create one (1) new Licensing Supervisor (LG 21) position]

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

CONSENT CALENDAR

On a motion by Senator D'Allesandro, seconded by Senator Daniels, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 21-348 Department of Environmental Services – authorization to; 1) transfer \$35,052 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

Prior to the meeting the Department of Education submitted a request to withdraw FIS 21-322 – to accept and expend \$25,804,748 in federal funds through September 30, 2022 and FIS 21-323 – to accept and expend \$1,122,406 in federal funds through September 30, 2022. WITHDRAWN BY AGENCY.

At the request of Senator Rosenwald, Department of Health and Human Services request FIS 21-336 was removed from the Consent Calendar.

FIS 21-336 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 responded to questions of the Committee.

On a motion by Senator Rosenwald, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Health and Human Services to budget and expend \$35,629,624 in additional federal revenue through June 30, 2023.

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

Representative Edwards – Yes  
Representative Emerick – Yes  
Representative Erf – Yes  
Representative Leishman – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes

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

On a motion by Senator D'Allesandro, seconded by Senator Rosenwald, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 21-317 Department of Environmental Services – authorization to accept and expend \$450,000 in other funds through June 30, 2023, FIS 21-325 Department of Education – authorization to accept and expend \$650,606 in federal funds through June 30, 2023, FIS 21-328 Department of Business and Economic Affairs – authorization to accept and expend \$115,182 in federal funds through June 30, 2023, FIS 21-332 Department of Business and Economic Affairs – authorization to amend FIS 21-174, approved August 20, 2021, by transferring \$94,692 in federal funds between classes and extending the end date from June 30, 2022 to September 26, 2022 (Originally approved (FIS 21-007) January 22, 2021), FIS 21-335 Department of Health and Human Services – authorization to accept and expend \$200,200 in federal funds through June 30, 2022, FIS 21-337 Department of Natural and Cultural Resources – authorization to budget and expend \$658,000 in other funds through June 30, 2022, FIS 21-338 Department of Safety – authorization to accept and expend \$505,000 in federal funds through June 30, 2023, and FIS 21-339 Department of Safety – authorization to accept and expend \$554,782 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, AND RSA 124:15 POSITIONS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator D'Allesandro, seconded by Senator Rosenwald, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 21-342 Department of Health and Human Services – authorization to; 1) accept and expend \$99,599 in federal funds through September 30, 2022, and 2) contingent upon approval of Request #1, authorization to create one (1) new temporary part-time Ombudsman (LG 25) position through June 30, 2023]

RSA 124:15, POSITIONS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator D'Allesandro, seconded by Representative Leishman, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 21-341 Department of Health and Human Services – authorization to; 1) create one (1) new temporary part-time Ombudsman (LG 25) position 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 Representative Umberger, FIS 21-324 Department of Education was removed from the Consent Calendar and Senator Rosenwald removed FIS 21-357 Governor's Office for Emergency Relief and Recovery.

FIS 21-324 Department of Education – Tammy Vaillancourt, Chief Financial Officer, and McKenzie Snow, Director, Division of Learner Support, Department of Education responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Education to accept and expend \$6,698,664 in federal American Rescue Plan Act; Emergency Assistance to Non-Public Schools Program (ARP EANS) funds through June 30, 2023.

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

Representative Edwards – Yes  
Representative Emerick – Yes  
Representative Erf – Yes  
Representative Leishman – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes  
Senator D'Allesandro – Yes  
Representative Umberger – Yes (10-Yes; 0-No)  
MOTION ADOPTED.

FIS 21-357 Governor's Office for Emergency Relief and Recovery – Taylor Caswell, Executive Director, and Chase Hagaman, Deputy Director, Governor's Office for Emergency Relief and Recovery, responded to questions of the Committee.

On a motion by Senator Rosenwald, seconded by Representative Edwards, that the Committee table the request of the Governor's Office for Emergency Relief and Recovery to accept and expend an amount not to exceed \$17,019,503 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2023.

The Committee requested the Department return to the next meeting with a flushed out plan, including sustainability projections.

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

Representative Edwards – Yes  
Representative Emerick – Yes  
Representative Erf – Yes  
Representative Leishman – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – No  
Senator Rosenwald – Yes  
Senator D’Allesandro – Yes  
Representative Umberger – Yes (9-Yes; 1-No)  
MOTION ADOPTED

On a motion by Senator D’Allesandro, seconded by Senator Rosenwald, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 21-340 Department of Health and Human Services – authorization to accept and expend \$324,363 in federal funds through June 30, 2023, FIS 21-351 Pease Development Authority, Division of Ports and Harbors – authorization to accept and expend \$1,450,064 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2023, FIS 21-354 Department of Health and Human Services – authorization to accept and expend \$2,752,750 in federal American Rescue Plan Act (ARPA), State and Local Fiscal Recovery Funds (SFRF) through June 30, 2023, FIS 21-355 Department of Health and Human Services – authorization to accept and expend \$1,601,600 in federal American Rescue Plan Act (ARPA), State and Local Fiscal Recovery Funds (SFRF) through June 30, 2023, and FIS 21-356 Governor’s Office for Emergency Relief and Recovery – authorization to accept and expend an amount not to exceed \$3,068,250 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2023]

LATE ITEM:

FIS 21-361 Department of Health and Human Services – Lori Shibinette, Commissioner, and Kerrin Rounds, Chief Financial Officer, Department of Health and Human Services, presented the request and responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$8,008,000 in federal American Rescue Plan Act (ARPA), State and Local Fiscal Recovery Funds (SFRF) through June 30, 2023.

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

Representative Edwards – Yes  
Representative Emerick – Yes  
Representative Erf – Yes

Representative Leishman – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes  
Senator D’Allesandro – Yes  
Representative Umberger – 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:

AMERICAN RESCUE PLAN 2021  
CONSENT CALENDAR

At the request of Representative Umberger, FIS 21-353 Department of Health and Human Services was removed from the Consent Calendar.

On a motion by Representative Leishman, seconded by Senator Daniels, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 21-343 New Hampshire Fish and Game Department – authorization through April 1, 2023 to; 1) accept and expend \$1,000,000 in other American Rescue Plan (ARP) State and Local Fiscal Recovery Funds (FRF), and 2) contingent upon approval of Request #1, authorization to create class 046 Consultants, and FIS 21-350 Department of Safety – authorization through June 30, 2023 to; 1) accept and expend \$2,738,541 in federal American Rescue Plan Act of 2021 (ARPA) State and Local Fiscal Recovery Funds (FRF), and 2) contingent upon approval of Request #1, authorization to establish one (1) full time temporary Program Specialist III (LG 23) position]

FIS 21-353 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. (Discussion, comments, statements, and questions are found on the recording beginning at 1:40:07 and ending at 2:17:50)

Discussion was held regarding the Department conducting a sound privacy impact assessment on the vaccine registry, with the conclusion that the request would come from Division III of House Finance.

On a motion by Representative Edwards, seconded by Senator Morse, that the Committee approve Request #1 of the Department of Health and Human Services to accept and expend \$22,495,752 in federal funds, and deny Request #2 to create thirteen (13) new positions consisting of a; Immunization Strategic Response Manager, Grant Coordinator, and Health Communications Specialist, five (5) NH IIS Data Quality Specialists, and five (5) NH IIS Onboarding Specialist positions.

Senator Morse withdrew his second to Representative Edward's motion to table the request.

On a motion by Senator D'Allesandro, seconded by Representative Leishman, that the Committee approve the request of the Department of Health and Human Services through June 30, 2023 to; 1) accept and expend \$22,495,752 in federal funds, and 2) contingent upon approval of Request #1, create thirteen (13) new positions consisting of a; Immunization Strategic Response Manager, Grant Coordinator, and Health Communications Specialist, five (5) NH IIS Data Quality Specialists, and five (5) NH IIS Onboarding Specialist positions.

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

Representative Edwards – No  
Representative Emerick – Yes  
Representative Erf – No  
Representative Leishman – Yes  
Senator Daniels – No  
Senator Morse – Yes  
Senator Giuda – No  
Senator Rosenwald – Yes  
Senator D'Allesandro – Yes  
Representative Umberger – Yes (6-Yes; 4-No)  
MOTION ADOPTED

The Committee recessed at 11:52 a.m., and reconvened at 11:59 a.m.

RSA 21-I:19-g, III, USE OF STATE-OWNED PASSENGER AUTOMOBILES:

FIS 21-347 Department of Administrative Services – On a motion by Senator D'Allesandro, seconded by Representative Leishman, that the Committee approve the request of the Department of Administrative Services agency requests for waivers to retain 144 vehicles which fall below the break-even mileage for FY 2021.

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

Representative Edwards – Yes  
Representative Emerick – Yes  
Representative Erf – Yes  
Representative Leishman – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes



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

RSA 206:33-b, TRANSFERS FROM FISH AND GAME FUND:

FIS 21-330 New Hampshire Fish and Game Department – On a motion by Senator Giuda, seconded by Senator D'Allesandro, that the Committee approve the request of the New Hampshire Fish and Game Department to transfer \$98,722 from the NH Fish and Game Fund Reserve to the Fish and Game FY 2022 Operating Budget through June 30, 2022.

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

Representative Edwards – Yes  
Representative Emerick – Yes  
Representative Erf – Yes  
Representative Leishman – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes  
Senator D'Allesandro – Yes  
Representative Umberger – Yes (10-Yes; 0-No)  
MOTION ADOPTED

RSA 216-A:3-g, FEES FOR PARK SYSTEM:

FIS 21-344 Department of Natural and Cultural Resources – On a motion by Senator D'Allesandro, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Natural and Cultural Resources for approval of; 1) the fee package for the marquee winter 2021/22 and summer 2022 seasons for products at Cannon Mountain Aerial Tramway and Ski Area, in addition to Flume Gorge entry products for summer 2022, and 2) request approval of the 2021/22 Cannon Mountain Winter Special Use Policy.

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

Representative Edwards – Yes  
Representative Emerick – Yes  
Representative Erf – Yes  
Representative Leishman – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes

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

MISCELLANEOUS:

FIS 21-326 State Treasury – On a motion by Senator Giuda, seconded by Senator D'Allesandro, that the Committee approve the request of the State Treasury on behalf of the College Tuition Savings Plan Advisory Commission for authorization of the release and distribution of the audited financial statements of the UNIQUE College Investing Plan and Fidelity Advisor 529 Plan for the year ended September 30, 2021 upon completion of the audits and prior to the presentation of the audit results to the Fiscal Committee of the General Court.

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

Representative Edwards – Yes  
Representative Emerick – Yes  
Representative Erf – Yes  
Representative Leishman – Yes  
Senator Daniels – Yes  
Senator Morse – Yes  
Senator Giuda – Yes  
Senator Rosenwald – Yes  
Senator D'Allesandro – Yes  
Representative Umberger – Yes (10-Yes; 0-No)  
MOTION ADOPTED

INFORMATIONAL MATERIALS:

The Chair commended the Department of Administrative Services on the information included in FIS 21-320 Department of Administrative Services – RSA 9:11, II – Quarterly status report of the State's fund expenditures for the first quarter of fiscal year 2022 through September 30, 2021.

The Chair recognized the Legislative Budget Assistant, Audit Division, for the award received as described in FIS 21-358 Joint Legislative Performance Audit and Oversight Committee – National Conference of State Legislatures, National Legislative Program Evaluation Society, 2021 Certificate of Impact presented to the New Hampshire Office of the Legislative Budget Assistant, Audit Division for its 2019 performance audit on the Department of Health and Human Services' Therapeutic Cannabis Program: Identification Card Timeliness.

Lori Shibinette, Commissioner, Kerrin Rounds, Chief Financial Officer, and Laurie Weaver, Deputy Commissioner, Department of Health and Human Services responded to

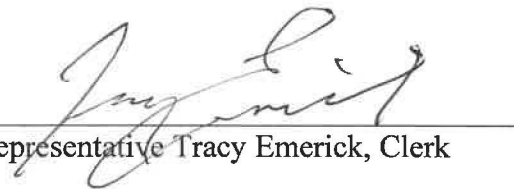
questions of the Committee pertaining to FIS 21-349 Department of Health and Human Services – Operating Statistics Dashboard SFY22 report through September 30, 2021.

As Commissioner Edelblut was unable to attend the meeting, the Chair delayed the Department of Education update on the status of Education Freedom Account program until the December 17, 2021 meeting.

DATE OF NEXT MEETING AND ADJOURNMENT:

The Chair scheduled the next regular meeting of the Fiscal Committee for Friday, December 17, 2021 at 10:00 a.m. to be held in Room 210-211 of the Legislative Office Building.

The meeting adjourned at approximately 12:55 p.m.



Representative Tracy Emerick, Clerk