

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES  
May 19, 2023

The Fiscal Committee of the General Court met on Friday, May 19, 2023, 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 Keith Erf  
Representative Jess Edwards  
Representative Mary Heath (Alternate)  
Representative Mary Jane Wallner  
Representative Gerald Griffin (Alternate)  
Senator James Gray  
Senate President Jeb Bradley  
Senator Lou D'Allesandro  
Senator Cindy Rosenwald

The Chair called the meeting to order at 10:05 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator Gray, seconded by Senator Rosenwald, that the Committee approve the minutes of the April 21, 2023 meeting as written. MOTION ADOPTED.

OLD BUSINESS:

None

NEW BUSINESS:

CONSENT CALENDAR

As announced by the Chair, the following items were removed from the Consent Calendar to be acted on individually;

- Tab 3 Pursuant to RSA 9:16-a, I.  
FIS 23-144
- Tab 5 Pursuant to RSA 14:30-a, VI.  
FIS 23-153
- Tab 6 Pursuant to ARPA RSA 14:30-a, VI.  
FIS 23-146, 23-152, 23-169
- Tab 7 Pursuant to ARPA RSA 14:30-a, VI. And RSA 124:15  
FIS 23-155

On a motion by Senator Gray, seconded by Senator Bradley, that the Committee approve the remaining requests under the Consent Calendar, Tabs 3, 4, 5, 6, and 7, as submitted. MOTION ADOPTED. [TAB 3 pursuant to RSA 9:16-a, I, FIS 23-142 Department of Administrative Services – authorization to transfer \$340,000 in other funds through June 30, 2023, FIS 23-143 Department of Agriculture, Markets & Food – authorization to transfer \$30,789 in other funds in and among classes within an accounting unit through June 30, 2023, FIS 23-145 Department of Transportation – authorization to transfer \$336,000 in federal/other/highway funds between various accounting units and classes through June 30, 2023, FIS 23-163 Police Standards and Training Council – authorization to transfer \$212,000 in general funds between various accounting units and classes through June 30, 2023, FIS 23-165 Department of Safety – authorization to transfer \$42,500 in other funds through June 30, 2023, and FIS 23-171 Department of Administrative Services – authorization to transfer \$48,164 in other funds through June 30, 2023; TAB 4 pursuant to RSA 9:16-c, I, FIS 23-172 Department of Safety – authorization to transfer \$1,025,000 in federal funds and create a new expenditure class 085-Interagency transfers through June 30, 2023; TAB 5 pursuant to RSA 14:30-a, VI., FIS 23-147 Department of Education – authorization to accept and expend \$300,300 in federal funds through June 30, 2023, FIS 23-149 Department of Education – authorization to accept and expend \$6,980,172 in federal funds through June 30, 2023, FIS 23-150 Department of Education – authorization to accept and expend \$12,012,000 in federal funds through June 30, 2023, FIS 23-151 New Hampshire Fish and Game Department – authorization to accept and expend \$1,000,000 in federal funds through June 30, 2023, and FIS 23-154 Department of Natural and Cultural Resources – authorization to budget and expend \$298,687 in other funds through June 30, 2023; TAB 6 pursuant to RSA 14:30-a, VI., FIS 23-148 Department of Education – authorization to amend an accept and expend item of Federal Funds approved by the Governor pursuant to RSA 4:45, RSA 21-P:43, and Section 4 of Executive Order 2020-A4 as extended by Executive Orders 2020-05 and 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, 2020-17, 2020-18, 2020-20, 2020-21, 2020-23, 2020-24, 2020-25, 2021-01, 2021-02, 2021-04, 2021-05, and 2021-06 as extended to allow the Department to extend the end date from June 30, 2023 to June 30, 2024; and to modify and reallocate the budget by transferring \$15,886 between classes (Originally presented (FIS 21-128) May 21, 2021), FIS 23-162 Governor’s Office for Emergency Relief And Recovery – authorization to; 1) amend FIS 22-316, approved September 9, 2022, to reallocate \$8,549,541 in federal American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds (SLFRF) through June 30, 2025, and 2) amend FIS 22-316, approved September 9, 2022, to reallocate \$592,620 in federal American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds (SLFRF) through June 30, 2023, FIS 23-168 Department of Corrections – authorization to amend FIS 22-038, approved January 21, 2022, by accepting reallocated funds in the amount of \$214,742 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2024, and FIS 23-174 Department of Safety – authorization to accept and expend \$376,895 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF), reallocated from a preexisting authorization through the Governor’s Office for Emergency Relief And Recovery through June 30, 2025; and TAB 7 pursuant to ARPA RSA 14:30-a, VI. And RSA 124:15, FIS 23-166 Department of Administrative Services – is seeking approval on behalf of State Agencies to amend the accept and expend of American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) requests by extending the end date for funding, new positions, and/or new Class 046-Consultants, created in relation to the acceptance of ARPA SFRF funds, from June 30, 2023 to June 30, 2024, and FIS 23-167 Department of Administrative Services – is seeking approval on behalf of State Agencies to amend the accept and expend of American Rescue Plan (ARP), the Bipartisan Infrastructure Law (BIL) and other previously enacted federal relief bills related to the COVID-19 pandemic funded requests by extending the end date for funding, new positions, and/or new Class 046-Consultants, created in relation to the acceptance of these funds, to the dates listed in Attachment A, but no later than June 30, 2025]

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

FIS 23-153 Department of Health and Human Services – Nathan White, Chief Financial Officer, and Meredith Telus, Director, Division of Program Quality and Integrity, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator Gray, seconded by Senator Bradley, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$46,640,973 in other funds through June 30, 2023. MOTION ADOPTED.

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

CONSENT CALENDAR

FIS 23-144 Department of Health and Human Services – Nathan White, Chief Financial Officer, and Morissa Henn, Associate Commissioner, Department of Health and Human Services responded to questions of the Committee.

On a motion by Representative Edwards, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Health and Human Services to transfer \$1,125,000 in general funds through June 30, 2023. 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:

AMERICAN RESCUE PLAN 2021

CONSENT CALENDAR

FIS 23-152 Department of Health and Human Services – Nathan White, Chief Financial Officer, and Melissa Hardy, Director, Division of Long Term Supports and Services, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator Gray, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Health and Human Services to retroactively amend FIS 21-289, approved October 22, 2021, to extend the end date from September 30, 2022 to June 30, 2023. 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

FIS 23-155 Department of Health and Human Services – Nathan White, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee.

On a motion by Representative Edwards, seconded by Representative Erf, that the Committee approve the request of the Department of Health and Human Services to amend the accept and expend of American Rescue Plan (ARP), Coronavirus Response and Relief Supplemental Appropriations Act (CCRSA), and Coronavirus Aid, Relief, and Economic Security Act (CARES) requests identified in Attachment A by extending the end date for funding and extending authorization for positions created in relation to the acceptance of funds from these Acts, from June 30, 2023 to dates identified in Attachment A, **with the exception of 21-100 (Attachment A) which will be tabled.** No Action Taken.

Senator Gray requested that the item be divided, and the tabling motion be acted upon first.

On a motion by Representative Edwards, seconded by Representative Erf, that the Committee **table 21-100 (Attachment A)** of the request of the Department of Health and Human Services to amend the accept and expend of American Rescue Plan (ARP), Coronavirus Response and Relief Supplemental Appropriations Act (CCRSA), and Coronavirus Aid, Relief, and Economic Security Act (CARES) requests identified in Attachment A by extending the end date for funding and extending authorization for positions created in relation to the acceptance of funds from these Acts, from June 30, 2023 to dates identified in Attachment A. MOTION FAILED. (3-Yes; 6-No)

On a motion by Senator Bradley, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Health and Human Services to amend the accept and expend of American Rescue Plan (ARP), Coronavirus Response and Relief Supplemental Appropriations Act (CCRSA), and Coronavirus Aid, Relief, and Economic Security Act (CARES) requests identified in Attachment A by extending the end date for funding and extending authorization for positions created in relation to the acceptance of funds from these Acts, from June 30, 2023 to dates identified in Attachment A. MOTION ADOPTED. (6-Yes; 3-No)

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

FIS 23-146 Department of Business and Economic Affairs – Taylor Caswell, Commissioner, Department of Business and Economic Affairs responded to questions of the Committee.

Representative Edwards stepped out of the room and Representative Griffin sat in as alternate.

On a motion by Senator Bradley, seconded by Senator Gray, that the Committee approve the request of the Department of Business and Economic Affairs to accept and expend \$10,012,500 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2025. MOTION ADOPTED.

FIS 23-169 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 Senator Bradley, that the Committee approve the request of the Governor's Office for Emergency Relief and Recovery to accept and expend \$9,046,435 in federal American Rescue Plan Act (ARPA) Emergency Rental Assistance (ERA2) financial assistance funds through June 30, 2025. MOTION ADOPTED.

RSA 21-P:23 HIGHWAY FUND SURPLUS:

REGULAR CALENDAR

FIS 23-170 Department of Safety – On a motion by Senator D'Allesandro, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Safety to transfer \$187,281 in highway funds from the Highway Surplus Account to fund unanticipated Debt Service costs through June 30, 2023. MOTION ADOPTED.

RSA 198:15-y, III PUBLIC SCHOOL INFRASTRUCTURE FUND:

REGULAR CALENDAR

FIS 23-164 Office Of The Governor – On a motion by Senator Bradley, seconded by Senator D'Allesandro, that the Committee approve the request of the Office Of The Governor to amend grant awards to Windham School District to include an overall increase in expenditure of \$8,550 for school security improvement projects through June 30, 2023 (Originally approved (FIS 22-380) on November 18, 2022). MOTION ADOPTED.

CHAPTER 91:17, LAWS OF 2021, JUDICIAL BRANCH: TRANSFER AMONG ACCOUNTS AND CLASSES:

REGULAR CALENDAR

FIS 23-173 Administrative Office Of The Courts – On a motion by Senator Gray, seconded by Senator D'Allesandro, that the Committee approve the request of the Administrative Office Of The Courts to transfer \$761,000 in general funds between expenditure classes through June 30, 2023. MOTION ADOPTED.

CHAPTER 91:70, LAWS OF 2021, DEPARTMENT OF CORRECTIONS; TRANSFER  
AUTHORITY, AND RSA 9:16-a. TRANSFERS AUTHORIZED:  
REGULAR CALENDAR

FIS 23-156 Department of Corrections – On a motion by Senator Bradley, seconded by Senator Gray, that the Committee approve the request of the Department of Corrections through June 30, 2023 to; 1) transfer \$1,000,000 in general funds among accounts to reallocate appropriations and cover part-time shortfalls, and 2) transfer \$1,000,000 in general funds among accounts to reallocate appropriations and cover estimated utility shortfalls. MOTION ADOPTED.

LATE ITEMS:

FIS 23-175 Department of Health and Human Services – Nathan White, Chief Financial Officer, and Lori Weaver, Interim Commissioner, 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 Gray, that the Committee approve the request of the Department of Health and Human Services, pursuant to the provisions of RSA 14:30-a, VI, to amend FIS 21-363, approved December 2, 2021, and further amended by FIS 22-422, approved November 18, 2022, by repurposing \$4,811,130 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF), not utilized for its designated purpose, to pay for increased costs associated with the construction of the Forensic Psychiatric Hospital, through June 30, 2024. MOTION ADOPTED.

FIS 23-176 New Hampshire Fish and Game Department – On a motion by Senator D’Allesandro, seconded by Senator Rosenwald, that the Committee approve the request of the NH Fish and Game Department, pursuant to the provisions of RSA 14:30-a, VI., to accept and expend \$522,837 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF), for the purpose of continued funding for four existing temporary full time staff members to provide assistance in permit application review, through June 30, 2025 (contingent upon approval of FIS 23-166). MOTION ADOPTED.

MISCELLANEOUS:

Office of Legislative Budget Assistant – Michael Kane, Legislative Budget Assistant, requested to fill two (2) vacant staff auditor positions in the LBA, Audit Division.

On a motion by Senator D’Allesandro, seconded by Senator Gray, that the Committee approve the request of the Legislative Budget Assistant to fill two (2) vacant staff auditor positions in the LBA, Audit Division. MOTION ADOPTED.

INFORMATIONAL MATERIALS:


Nathan White, Chief Financial Officer, and Lori Weaver, Interim Commissioner, Department of Health and Human Services responded to questions pertaining to FIS 23-160 Department of Health and Human Services – Operating Statistics Dashboard SFY23 report through March 31, 2023, with the exception of data for Mental Health and the Division for Children, Youth and Families, which is through February 28, 2023, and Substance Use Disorder data which is through December 31, 2022.

The informational items were accepted and placed on file.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next regular meeting of the Fiscal Committee was scheduled for Friday, June 23, 2023 at 1:00 p.m.

On a motion by Senator D'Allesandro, seconded by Senator Bradley, that the meeting adjourn. (Whereupon the meeting adjourned at 11:17 a.m.)

  
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Representative Keith Erf, Clerk