

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
August 11, 2023

The Fiscal Committee of the General Court met on Friday, August 11, 2023, at 1:00 p.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Ken Weyler, Chairman
Representative Gerald Griffin (Alternate)
Representative Jess Edwards
Representative Mary Heath (Alternate)
Representative David Huot (Alternate)
Representative Mary Jane Wallner
Senator James Gray
Senate President Jeb Bradley (arrived at @1:20pm)
Senator Regina Birdsell
Senator Lou D'Allesandro
Senator Cindy Rosenwald

The Chair called the meeting to order at 1:00 p.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator Gray, seconded by Senator Birdsell, that the Committee approve the minutes of the June 23, 2023 meeting as written. MOTION ADOPTED. (7-Yes; 0-No; 2-Abstained)

OLD BUSINESS:

None

NEW BUSINESS:

CONSENT CALENDAR

On a motion by Representative Edwards, seconded by Senator Gray, that the Committee approve all the requests under the Consent Calendar, Tabs 3, 4, 5, 6, and 7, as submitted. MOTION ADOPTED. [TAB 3 pursuant to RSA 9:16-c. I, FIS 23-244 Department of Environmental Services – authorization to transfer \$3,000 in federal funds in and among classes within an accounting unit through June 30, 2024; TAB 4 pursuant to RSA 14:30-a, VI., FIS 23-206 Department of Agriculture, Markets and Food – authorization to retroactively amend FIS 23-006, approved January 27, 2023, by extending the current end date from June 30, 2023 to December 31, 2024, FIS 23-207 Department of Agriculture, Markets and Food – authorization to; 1) retroactively amend FIS 22-350, approved October 14, 2022, by extending the end date from June 30, 2023 to August 31, 2023 (Originally approved (FIS 21-247) September 17, 2021) and further accept and expend \$27,352 in federal funds, FIS 23-208

Department of Agriculture, Markets and Food – authorization to retroactively amend FIS 22-276, approved September 9, 2022, by extending the end date from June 30, 2023 to June 30, 2024 and further accept and expend \$20,000 in federal funds, FIS 23-210 Department of Agriculture, Markets and Food – authorization to retroactively amend FIS 22-021, approved January 21, 2022, by extending the end date from June 30, 2023 to June 30, 2025, FIS 23-211 Department of Business and Economic Affairs – authorization to; 1) retroactively amend FIS 21-328, approved November 19, 2021, by extending the end date from June 30, 2023 to June 30, 2025, FIS 23-212 Department of Business and Economic Affairs – authorization to retroactively amend FIS 22-334, approved October 14, 2022, by extending the end date from June 30, 2023 to September 29, 2024, FIS 23-213 Department of Business and Economic Affairs – authorization to retroactively amend FIS 22-135, approved October 14, 2022, by extending the end date from June 30, 2023 to June 30, 2025, FIS 23-214 Department of Environmental Services – authorization to retroactively amend FIS 23-034, approved January 27, 2023, by extending the end date from June 30, 2023 to September 30, 2024, FIS 23-215 Department of Environmental Services – authorization to accept and expend \$500,000 in Drinking Water and Groundwater Trust Funds through June 30, 2025, FIS 23-216 Department of Environmental Services – authorization through June 30, 2025 to; 1) retroactively amend FIS 22-329, approved October 14, 2022, by extending the end date from June 30, 2023 to June 30, 2025 and reallocate funds, and 2) accept and expend \$72,260 in federal funds, FIS 23-219 Department of Health and Human Services – authorization to accept and expend \$132,372 in federal funds through June 30, 2025, FIS 23-220 Department of Health and Human Services – authorization to accept and expend \$1,239,080 in federal funds through June 30, 2025, FIS 23-221 Department of Health and Human Services – authorization to accept and expend \$318,182 in federal funds through June 30, 2025, FIS 23-222 Department of Health and Human Services – authorization to accept and expend \$366,727 in federal funds through June 30, 2025, FIS 23-223 Department of Health and Human Services – authorization to accept and expend \$295,652 in federal funds through June 30, 2025, FIS 23-225 Department of Information Technology – authorization to accept and expend \$300,000 in other funds through June 30, 2025, FIS 23-227 Department of Justice – authorization to retroactively amend FIS 22-292, approved September 9, 2022, by extending the end date from June 30, 2023 to June 30, 2025, FIS 23-228 Department of Justice – authorization to retroactively amend FIS 23-063, approved February 18, 2022, by extending the end date from June 30, 2023 to June 30, 2025, FIS 23-229 Department of Justice – authorization to retroactively amend FIS 22-062, approved February 18, 2022, by extending the end date from June 30, 2023 to June 30, 2025, FIS 23-230 Department of Military Affairs and Veterans Services – authorization to retroactively amend FIS 23-070, approved March 24, 2023, by extending the end date from June 30, 2023 to June 30, 2025, FIS 23-231 Department of Natural and Cultural Resources – authorization to retroactively amend FIS 21-298, approved October 22, 2021, by extending the end date from June 30, 2023 to June 30, 2025, FIS 23-233 Department of Safety – authorization to accept and expend \$2,378,693 in federal funds through June 30, 2025, and FIS 23-246 Department of Health and Human Services – authorization to accept and expend \$505,509 in federal funds through June 30, 2025; and TAB 5 pursuant to RSA 14:30-a, VI. And RSA 124:15, FIS 23-217 Department of Energy – authorization to retroactively amend FIS 23-128, approved April 21, 2023; 1) by extending the end date from June 30, 2023 to June 30, 2025, and 2) subject to approval of Request #1, retroactively extend position 9T3301, a temporary full-time Program Specialist II (LG 21) from June 30, 2023 to June 30, 2025, FIS 23-218 Department of Energy – authorization through June 30, 2025 to; 1) accept and expend \$3,581,770 in federal funds, and 2) contingent upon approval of Request #1, authorization to create one temporary full-time Administrator II (LG 29), one Program Specialist III (LG 23), and one Program Specialist II (LG 21) positions, FIS 23-226 Department of Justice – authorization to retroactively amend FIS 22-104, approved March 18, 2022 to; 1) extend the end date from June 30, 2023 to June 30, 2025 to accept and expend a grant and 2) extend the end date from June 30, 2023 to June 30, 2025 for the purpose of continuing a temporary full time Program Specialist IV (LG 25) position, and FIS 23-232 Department of Natural and Cultural Resources – authorization through June 30, 2025 to; 1) budget and expend

\$319,014 in other prior year carry forward funds, and 2) contingent upon approval of Request #1, authorization to establish one (1) temporary full-time Environmentalist III (LG 23) position and one (1) temporary full-time Environmentalist I (LG 16) position; and TAB 6 pursuant to RSA 124:15, FIS 23-234 Department of Agriculture, Markets and Food – authorization to; 1) retroactively amend FIS 23-045, approved February 17, 2023, by extending the end date from June 30, 2023 to December 31, 2023 to establish a temporary part-time Agricultural Intern (LG 12) position; and TAB 7 pursuant to ARPA RSA 14:30-a, VI., FIS 23-209 Department of Agriculture, Markets and Food – authorization to accept and expend \$2,659,811 in federal American Rescue Plan funds through June 30, 2025, FIS 23-224 Department of Health and Human Services – authorization to accept and expend \$1,000,000 in federal funds through June 30, 2025, and FIS 23-245 Governor’s Office for Emergency Relief And Recovery – authorization to amend FIS 23-054, approved February 17, 2023, and further amended (FIS 23-167) on May 19, 2023, to budget and expend \$740,750, to correct a technical error in a prior request, to provide additional funding, and to make program changes to the NH Homeowner Assistance Fund (NH HAF) through June 30, 2025]

RSA 7:12 ASSISTANTS:

REGULAR CALENDAR

FIS 23-205 Department of Justice – John Formella, Attorney General, and Kathleen Carr, Director of Administration, Department of Justice responded to questions of the Committee.

Senator Bradley entered the room at approximately 1:20 p.m., and Representative Wallner left the meeting shortly thereafter.

On a motion by Senator Gray, seconded by Senator Birdsell, that the Committee approve the request of the Department of Justice to accept and expend a sum not to exceed \$6,906,316 in general litigation expenses incurred in the defense of the State and the prosecution of criminal laws through June 30, 2025. MOTION ADOPTED.

Justice John Broderick, Administrator, and Jennifer Foley, Attorney, of the NH Youth Development Center Claims Administration and Settlement Fund responded to questions of the Committee.

RSA 21-M:11-a, IV, BUREAU OF CIVIL LAW:

REGULAR CALENDAR

FIS 23-247 New Hampshire Youth Development Center Claims Administration and Settlement Fund – Justice John Broderick, Administrator, and Jennifer Foley, Attorney, of the NH Youth Development Center Claims Administration and Settlement Fund responded to questions of the Committee.

On a motion by Senator Gray, seconded by Senator Rosenwald, that the Committee amend and approve the request of the New Hampshire Youth Development Center Claims Administration and Settlement Fund, for authority to modify language of the Claims Process for

Administration of YDC Settlement Fund document, as specified in the request dated August 1, 2023, and allow the administrator to make technical, mechanical, and typographical changes without further Committee approval upon notification of the Committee. MOTION ADOPTED.

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

FIS 23-235 Office Of The Governor – Frank Edelblut, Commissioner, and Tammy Vaillancourt, Chief Financial Officer, Department of Education responded to questions of the Committee.

Representative Edwards was not present for the vote.

On a motion by Senator D’Allesandro, seconded by Senator Rosenwald, that the Committee approve the request of the Office Of The Governor to retroactively amend FIS 22-303, approved September 9, 2022, by extending the end date from June 30, 2023 to June 30, 2025. MOTION ADOPTED.

FIS 23-236 Office Of The Governor – On a motion by Senator Gray, seconded by Senator Bradley, that the Committee approve the request of the Office Of The Governor to retroactively amend FIS 22-380, approved November 18, 2022 and as amended by FIS 23-164 on May 19, 2023, by extending the end date from June 30, 2023 to June 30, 2024. MOTION ADOPTED.

RSA 363:28, III. OFFICE OF THE CONSUMER ADVOCATE:
REGULAR CALENDAR

FIS 23-237 Office of the Consumer Advocate – Donald Kreis, Consumer Advocate, responded to questions of the Committee.

Representative Edwards returned and was present for the vote.

On a motion by Senator Gray, seconded by Senator Bradley, that the Committee approve the request of the Office of the Consumer Advocate to enter into a contract with Aaron Rothschild of 15 Lake Road, Ridgefield, Connecticut 06877 to provide certain expert services in connection with rate cases at the Public Utilities Commission in an amount not to exceed \$140,000 in other funds through June 30, 2025. MOTION ADOPTED.

LATE ITEM:

FIS 23-248 Revised Department of Transportation – William Cass, Commissioner, and Danielle Chandonnet, Director of Finance, Department of Transportation 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 Transportation, pursuant to the provisions of RSA 228:12, to transfer \$4,823,025 in Highway funds from the Highway Surplus Account to fund the purchase of 66 backhoes coming off of lease through June 30, 2024. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

Lori Weaver, Commissioner, and Morissa Henn, Associate Committer, Department of Health and Human Services responded to question of the Committee pertaining to FIS 23-239 Department of Health and Human Services – Operating Statistics Dashboard SFY24 report through June 30, 2023, with the exception of data for Mental Health and Substance Use Disorder (SUD) Caseloads, which is through May 31, 2023.

The Committee requested that Justice John Broderick, Administrator, of the NH Youth Development Center Claims Administration and Settlement Fund and Attorney General John Formella update the Committee at the September meeting.

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 Thursday, September 14, 2023 at 10:00 a.m.

On a motion by Senator D'Allesandro, seconded by Senator Birdsell, that the meeting adjourn. (Whereupon the meeting adjourned at 2:21 p.m.)



Representative Keith Erf, Clerk