

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
October 19, 2023

The Fiscal Committee of the General Court met on Thursday, October 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, Clerk
Representative Jess Edwards
Representative Peter Leishman
Representative Mary Jane Wallner
Representative David Huot (Alternate)
Representative Gerald Griffin (Alternate)
Senator James Gray, Vice Chairman
Senate President Jeb Bradley
Senator Howard Pearl (Alternate)
Senator Lou D'Allesandro
Senator Cindy Rosenwald

The Chair called the meeting to order at 10:06 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator Gray, seconded by Senator Rosenwald, that the Committee approve the minutes of the September 14, 2023 meeting as written. MOTION ADOPTED. (7-Yes; 0-No; 3-Abstained)

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 5 Pursuant to RSA 14:30-a, VI.
FIS 23-289, 23-290, 23-293, 23-309
- Tab 8 Pursuant to ARPA RSA 14:30-a, VI.
FIS 23-291, 23-294, 23-295

On a motion by Senator D'Allesandro, seconded by Senator Gray, that the Committee approve all the remaining requests under the Consent Calendar, Tabs 3, 4, 5, 6, 7, and 8, as submitted. MOTION ADOPTED. [TAB 3 pursuant to RSA 9:16-a. II, FIS 23-281 Department of Agriculture, Markets & Food – authorization to transfer \$200,000 in other funds in and among classes within an accounting unit through June 30, 2025, and FIS 23-282 Department of Health and Human Services – authorization to transfer \$72,000 in federal/general funds and create a new expenditure class code through December 31, 2024; TAB 4 pursuant to RSA 9:16-c. I, FIS 23-283 Department of Agriculture, Markets & Food – authorization to transfer \$63,393 in federal funds in and among classes within an accounting unit and create a new class code through June 30, 2025, and FIS 23-314 Department of Safety – authorization to transfer \$637,323 in federal funds and establish a new expenditure class code through March 31, 2024; TAB 5 pursuant to RSA 14:30-a, VI., FIS 23-284 Department of Environmental Services – authorization to budget and expend \$48,000,000 in other funds through June 30, 2025, FIS 23-285 New Hampshire Fish and Game Department – authorization to accept and expend \$797,125 in federal funds through June 30, 2024, FIS 23-288 Department of Environmental Services – authorization to amend FIS 22-408, approved November 18, 2022 and subsequently amended (FIS 23-167) on May 19, 2023, by accepting and expending \$39,181,548 in federal funds through June 30, 2025, FIS 23-297 Department of Safety – authorization to accept and expend \$850,000 in federal funds through June 30, 2025, and FIS 23-313 Department of Natural and Cultural Resources – authorization to retroactively amend FIS 23-097, approved March 24, 2023, by extending the end date from June 30, 2023 to June 30, 2025; TAB 6 pursuant to RSA 14:30-a, VI, and RSA 9:16-c, I, FIS 23-298 Department of Environmental Services – authorization through June 30, 2025 to; 1) amend FIS 23-036, approved January 27, 2023 and subsequently amended (FIS 23-167) on May 19, 2023, by accepting and expending \$40,341,283 in federal funds, and 2) transfer \$489,974 in federal funds between accounting units; TAB 7 pursuant to RSA 14:30-a, VI, and RSA 124:15, FIS 23-299 Department of Energy – authorization through June 30, 2025 to; 1) accept and expend \$6,619,797 in federal funds, and 2) contingent upon approval of Request #1, create one (1) temporary full-time Program Specialist III (LG 23) position, FIS 23-300 Department of Energy – authorization through June 30, 2025 to; 1) accept and expend \$568,000 in federal funds, and 2) contingent upon approval of Request #1, create two (2) temporary full-time Program Specialist III (LG 23) positions, FIS 23-301 New Hampshire Fish and Game Department – authorization through June 30, 2025 to; 1) accept and expend \$186,948 in federal funds, and 2) contingent upon approval of Request #1, establish a temporary full-time Biologist I (LG 21) position, and FIS 23-310 Department of Health and Human Services – authorization through June 30, 2025 to; 1) accept and expend \$106,818 in federal funds, and 2) contingent upon approval of Request #1, to establish a part-time temporary Program Specialist IV (LG 25) position; and TAB 8 pursuant to ARPA RSA 14:30-a, VI, FIS 23-286 New Hampshire Fish and Game Department – authorization to accept and expend \$131,726 in other American Rescue Plan (ARP) State and Local Fiscal Recovery Funds (SFRF) through June 30, 2024, FIS 23-287 Department of Environmental Services – authorization to amend FIS 21-138, approved June 8, 2021 and subsequently amended (FIS 22-111) on March 18, 2022 and (FIS 23-166) on May 19, 2023, by reallocating \$5,045,000 in federal American Rescue Plan Act (ARPA) funds between class lines through June 30, 2025, FIS 23-292 Department of Health and Human Services – authorization to accept and expend \$12,354,984 in federal funds through June 30, 2025, FIS 23-296 Department of Health and Human Services – authorization to amend FIS 23-024, approved January 27, 2023 and subsequently extended (FIS 23-167) on May 19, 2023, by transferring \$263,000 in federal funds between class lines through May 31, 2024, and FIS 23-308 Judicial Council – authorization to amend FIS 21-307, approved on October 22, 2021 and subsequently amend (FIS 23-166) on May 19, 2023, to reallocate \$8,216 in federal funds and to create expense classes through June 30, 2024]

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 23-289, FIS 23-290, and FIS 23-293 Department of Health and Human Services – Nathan White, Chief Financial Officer, and Reuben Hampton, Director, Office of Health Equity, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator Gray, seconded by Senator Rosenwald, that the Committee approve as a block requests FIS 23-289, 23-290, and 23-293 of the Department of Health and Human Services as submitted. MOTION ADOPTED. [FIS 23-289 Department of Health and Human Services – authorization to accept and expend \$1,327,681 in additional federal funds through June 30, 2025, FIS 23-290 Department of Health and Human Services – authorization to accept and expend \$642,533 in additional federal funds through June 30, 2025, and FIS 23-293 Department of Health and Human Services – authorization to accept and expend \$649,347 in federal funds through September 30, 2024]

FIS 23-309 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 D’Allesandro, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$939,252 in federal funds through June 30, 2025. 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 23-291 Department of Health and Human Services – Nathan White, Chief Financial Officer, Melissa Hardy, Director, Division of Long Term Supports and Services, 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 Bradley, that the Committee approve the request of the Department of Health and Human Services through March 31, 2025 to; 1) amend FIS 21-379, approved December 17, 2021 and subsequently amended (FIS 23-030) January 27, 2023 and (FIS 23-167) on May 19, 2023, to reallocate \$16,088,067 in federal funds, and 2) accept and expend \$33,746,013 in federal funds. MOTION ADOPTED.

FIS 23-294 and FIS 23-295 Department of Health and Human Services – Nathan White, Chief Financial Officer, Ryan Tannin, Administrator, Bureau of Disease Control, and Iain Watt, Deputy Director, Division of Public Health, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator Gray, seconded by Senator Rosenwald, that the Committee approve as a block requests FIS 23-294 and FIS 23-295 of the Department of Health and Human Services. MOTION ADOPTED. (9-Yes; 1-No) [FIS 23-294 Department of Health and Human Services – authorization through June 30, 2025 to; 1) accept and expend \$1,311,710 in federal funds under the Consolidated Appropriations Act, 2021, and 2) amend FIS 22-139, approved April 15, 2022, and subsequently extended (FIS 23-167) on May 19, 2023, by transferring \$375,000 in federal funds between class lines, and FIS 23-295 Department of Health and Human Services – authorization to accept and expend \$1,115,840 in federal funds through June 30, 2025]

Representative Weyler stated he wanted to be reassured, for the record, that these shots will not be forced on our children by putting them in the required list of shots before they enter school, to which the Department reassured him that they would not be required.

RSA 228:12. TRANSFERS FROM HIGHWAY SURPLUS ACCOUNT AND RSA 237:15-a TRANSFERS FROM THE GENERAL RESERVE ACCOUNT:
REGULAR CALENDAR

FIS 23-315 Department of Transportation – On a motion by Representative Leishman, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Transportation to retroactively, effective July 1, 2023 through June 30, 2025, to; 1) transfer \$2,581,546 in highway funds from the Highway Surplus Account, and 2) transfer \$215,057 in turnpike funds from the Turnpike General Reserve Account. MOTION ADOPTED.

MISCELLANEOUS:

None

INFORMATIONAL MATERIALS:

Nathan White, Chief Financial Officer, and Ann Landry, Associate Commissioner, Department of Health and Human Services responded to questions of the Committee pertaining to; FIS 23-306 Department of Health and Human Services – Operating Statistics Dashboard SFY24 report through August 31, 2023, with the exception of data for the Division for Children, Youth and Families staffing, and Mental Health and Substance Use Disorder (SUD) Caseloads, which is through July 31, 2023, and further data for the Developmental Disabilities, Acquired Brain Disorders, and In-Home Supports waitlist through June 30, 2023.

Nathan White, Chief Financial Officer, and Henry Lipman, Director, Division of Medicaid Services, Department of Health and Human Services responded to questions of the Committee pertaining to; FIS 23-311 Department of Health and Human Services – RSA 126-AA:3 (III) – Annual report on the Granite Advantage Health Care Trust Fund, SFY 2023 Activities and Operations, and FIS 23-312 Department of Health and Human Services – Chapter 79, Sections 238 through 240, Laws of 2023 – Report detailing the accounting units in the state operating budget to which funds will be, or have been allocated, along with the rate increases that will be provided from the funds appropriated for the purposes of increasing Medicaid provider rates.

The informational items were accepted and placed on file.

AUDITS

State of New Hampshire, Mental Health Workforce Licensing, Performance Audit Report, October 2023 – Christine Young, Director of Audits, and Vilay Skidds, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Lindsey Courtney, Executive Director, Office of Professional Licensure and Certification was present to respond to questions of the Committee.

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

DATE OF NEXT MEETING AND ADJOURNMENT:

The next regular meeting of the Fiscal Committee was scheduled for Thursday, November 9, 2023 at 10:00 a.m.

On a motion by Senator D’Allesandro, seconded by Senator Gray that the meeting adjourn. (Whereupon the meeting adjourned at 11:44 a.m.)



Representative Keith Erf, Clerk