

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
April 15, 2022

The Fiscal Committee of the General Court met on Friday, April 15, 2022, 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 Tracy Emerick
Representative Jess Edwards
Representative Keith Erf
Representative Susan Almy (Alternate)
Representative Bob Lynn (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 10:08 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator Daniels, seconded by Senator Giuda, that the Committee approve the minutes of the March 18, 2022 meeting. MOTION ADOPTED. (8-Yes; 2-Abstained)

NEW BUSINESS:

CONSENT CALENDAR

FIS 22-140 Department of Natural and Cultural Resources request to budget and expend \$660,000 in prior year carry forward other funds through June 30, 2022 was withdrawn by the agency.

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 22-125, 22-129
- Tab 6 Pursuant to RSA 9:16-c and RSA 124:15
FIS 22-141
- Tab 7 Pursuant to ARPA RSA 14:30-a, VI.
FIS 22-139, 22-148, 22-149, 22-150 Replacement
- Tab 8 Pursuant to ARPA RSA 14:30-a, VI. and RSA 124:15
FIS 22-152

On a motion by Senator Giuda, seconded by Senator Rosenwald, that the Committee approve the remaining requests under the Consent Calendar as submitted. MOTION ADOPTED. [TAB 3 pursuant to RSA 9:16-a, II, FIS 22-119 Department of Agriculture, Markets & Food – authorization to transfer \$12,209 in other funds between classes and create new expenditure class 042 Additional Fringe Benefits through June 30, 2023, FIS 22-120 Department of Transportation – authorization to transfer \$750,000 in Turnpike funds between various accounting units and classes through June 30, 2022, and FIS 22-121 Department of Transportation – authorization to transfer \$1,549,009 in FY22 and \$2,908,564 in FY23 for a total transfer of \$4,457,573 in federal/other funds between various classes through June 30, 2023; TAB 4 pursuant to RSA 9:16-c, I, FIS 22-122 Department of Agriculture, Markets & Food – authorization to transfer \$16,279 in federal funds between classes and create new expenditures classes through June 30, 2023 and FIS 22-124 Department of Agriculture, Markets & Food – authorization to transfer \$308 in federal funds between classes and create new expenditure class 041 Audit Set-Aside through June 30, 2022; TAB 5 pursuant to RSA 14:30-a, VI., FIS 22-126 Department of Health and Human Services – authorization to accept and expend \$12,880,945 in additional federal funds through June 30, 2023, FIS 22-127 Department of Health and Human Services – authorization to accept and expend \$106,849 in federal CARES Hospital Provider Relief funds through June 30, 2023, FIS 22-128 Department of Natural and Cultural Resources – authorization to accept and expend an amount up to \$2,300,000 in federal grant funds through June 30, 2023, FIS 22-130 Department of Safety – authorization to accept and expend \$124,552 in other funds through June 30, 2023, and FIS 22-138 Department of Health and Human Services – authorization to accept and expend \$164,047 in federal funds through June 30, 2023; TAB 7 pursuant to ARPA RSA 14:30-a, VI., FIS 22-137 Department of Health and Human Services – authorization to accept and expend \$775,774 in federal American Rescue Plan (ARP) Rural Payments funds through June 30, 2023, FIS 22-145 Department of Health and Human Services – authorization to accept and expend \$3,500,000 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2023, FIS 22-146 Department of Health and Human Services – authorization to accept and expend \$120,120 in federal American Rescue Plan Act (ARPA) funds through June 30, 2023; and TAB 8 pursuant to ARPA RSA 14:30-a, VI. and RSA 124:15, FIS 22-131 Department of Health and Human Services – authorization through June 30, 2023 to; 1) accept and expend \$129,600 in federal funds, and 2) contingent upon approval of Request #1, authorization to establish one (1) temporary full-time Program Specialist II (LG21) position]

OLD BUSINESS:

Representative Gary Merchant presented a handout and updated the Committee on the Prescription Drug Affordability Board rulemaking process pertaining to tabled item FIS 22-023 Department of Health and Human Services – authorization to accept and expend \$350,000 in other 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

FIS 22-125 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 D'Allesandro, seconded by Senator Daniels, that the Committee approve the request of the Department of Education authorization to amend an accept and expend item of federal funds approved by the Governor pursuant to RSA 21-P:43, RSA 4:45, RSA 4:47, and Executive Order 2020-04 as extended, to allow the DOE to modify and reallocate the budget by transferring \$189,389 in federal funds between classes through June 30, 2023 (Informational Item FIS 21-131 presented to Fiscal on May 21, 2021).

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

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

FIS 22-129 Department of Safety – Steven Lavoie, Director of Administration, and State Police Sergeant Christopher Storm, Division of State Police, Department of Safety responded to questions of the Committee.

On a motion by Senator Rosenwald, seconded by Senator Daniels, that the Committee table the request of the Department of Safety to accept and expend \$188,314 in other funds through June 30, 2023.

The Committee requested a copy of the written policy governing surveillance of private citizens and businesses.

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

Representative Edwards – Yes
Representative Emerick – Yes
Representative Erf – Yes
Representative Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes

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

RSA 9:16-c. TRANSFER OF FEDERAL GRANT FUNDS AND RSA 124:15 POSITIONS
AUTHORIZED:

CONSENT CALENDAR

FIS 22-141 Department of Safety – Steven Lavoie, Director of Administration, Department of Safety responded to questions of the Committee. Charles Arlinghaus, Commissioner, Department of Administrative Services was also present to respond to questions.

On a motion by Senator D'Allesandro, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Safety through June 30, 2023 to; 1) transfer \$21,000 in FY22 and \$221,000 in FY23 in federal funds, and 2) contingent upon approval of Request #1, authorization to create three (3) temporary full-time positions consisting of; an Assistant Chief Emergency Management Specialist (LG23), a Program Planner I (LG19), and a Program Assistant II (LG15).

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

Representative Edwards – Yes
Representative Emerick – Yes
Representative Erf – Yes
Representative Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President 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:

AMERICAN RESCUE PLAN 2021
CONSENT CALENDAR

FIS 22-139 Department of Health and Human Services – Kerrin Lucas, 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 Erf, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$3,374,290 in federal 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 Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Umberger – Yes (10-Yes; 0-No)
MOTION ADOPTED.

FIS 22-148 Governor’s Office for Emergency Relief and Recovery – Taylor Caswell, Executive Director, Governor’s Office for Emergency Relief and Recovery responded to questions of the Committee. Also present to respond to Committee questions was Eileen Glover, Department Chair for Allied Health, River Valley Community College.

On a motion by Senator Giuda, seconded by Representative Erf, that the Committee approve the request of the Governor’s Office for Emergency Relief and Recovery to accept and expend \$2,616,266 in federal American Rescue Plan Act (ARPA) State 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 Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Umberger – Yes (10-Yes; 0-No)
MOTION ADOPTED.

FIS 22-149 Governor's Office for Emergency Relief and Recovery – Taylor Caswell, Executive Director, Governor's Office for Emergency Relief and Recovery responded to questions of the Committee. Also present was Chief Justice Gordon MacDonald, New Hampshire Supreme Court to respond to Committee questions.

The Committee requested a copy of a Judicial Branch memo reported to have been sent to the Fiscal Committee referring to a four-week pilot program.

On a motion by Senator Rosenwald, seconded by Senator D'Allesandro, that the Committee approve the request of the Governor's Office for Emergency Relief and Recovery to accept and expend \$2,064,061 in federal American Rescue Plan Act (ARPA) State 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 Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D'Allesandro – Yes
Representative Umberger – Yes (10-Yes; 0-No)
MOTION ADOPTED.

FIS 22-150 Replacement Department of Business and Economic Affairs – Taylor Caswell, Commissioner, Department of Business and Economic Affairs responded to questions of the Committee.

On a motion by Senator Daniels, seconded by Senator Morse, that the Committee approve the request of the Department of Business and Economic Affairs to accept and expend \$100,102,503 in federal American Rescue Plan Act (ARPA) State 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 Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes

Senator Rosenwald – No
Senator D’Allesandro – No
Representative Umberger – Yes (8-Yes; 2-No)
MOTION ADOPTED.

The Committee requested the Department report back in June with a status of the money.

ARPA 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 22-152 Department of Health and Human Services – Kerrin Lucas, Chief Financial Officer, 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 approve the request of the Department of Health and Human Services through June 30, 2023 to; 1) accept and expend \$33,137,436 in federal/other/ funds, of which \$9,088,811 represents funding from the American Rescue Plan Act (ARPA) to establish an operating budget for Hampstead Hospital, and 2) contingent upon approval of Request #1, authorization to establish 21 full-time temporary positions.

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

Representative Edwards – Yes
Representative Emerick – Yes
Representative Erf – Yes
Representative Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President 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 9:17-a, LIMITATIONS:

FIS 22-123 Department of Health and Human Services – On a motion by Senator D’Allesandro, seconded by Representative Emerick, that the Committee approve the request of the Department of Health and Human Services to transfer \$504,625 in general funds between various class lines 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 Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Umberger – Yes (10-Yes; 0-No)
MOTION ADOPTED.

The Committee recognized Kerrin Rounds Lucas, Chief Financial Officer, Department of Health and Human Services for all her work for the Fiscal Committee as well as the House and Senate Finance Committees, as she will be leaving State employment.

RSA 106-H:9-I(e) FUNDING; FUND ESTABLISHED:

FIS 22-133 Department of Safety – Steven Lavoie, Director of Administration, and Mark Doyle, Director, Division of Emergency Services and Communications, Department of Safety responded to questions of the Committee.

On a motion by Senator Rosenwald, seconded by Senator Daniels, that the Committee approve the request of the Department of Safety to budget and expend \$450,000 from the Prior Year Carry Forward Balance of the Enhanced 911 System fund 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 Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Umberger – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 177:2, CLOSING OF STATE STORES:

FIS 22-134 New Hampshire Liquor Commission – On a motion by Senator D’Allesandro, seconded by Senator Rosenwald, that the Committee table the request of the New Hampshire Liquor Commission requesting approval of the Indirect Cost Allocation Plan for State Fiscal Year 2021 and reporting the closure of the New Hampshire Liquor and Wine Outlet #28, 186 Ocean Blvd, Seabrook .

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

Representative Edwards – No
Representative Emerick – Yes
Representative Erf – Yes
Representative Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – No
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Umberger – Yes (8-Yes; 2-No)
MOTION ADOPTED.

RSA 490-F:7, III, CIRCUIT COURT JUDGES; NUMBER:

FIS 22-147 Judicial Branch – Chief Justice Gordon MacDonald, New Hampshire Supreme Court, 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 Judicial Branch to convert two (2) existing vacant full-time marital master positions to full-time judicial vacancies in the Circuit Court.

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

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

CHAPTER 90, LAWS OF 2021, DEPARTMENT OF ADMINISTRATIVE SERVICES;
BUDGET FOOTNOTE:

FIS 22-143 Department of Administrative Services – On a motion by Senator D’Allesandro, seconded by Representative Erf, that the Committee approve the request of the Department of Administrative Services requesting a warrant be drawn from money in the Treasury not otherwise appropriated in the amount of \$856,000 in general funds to cover an anticipated utility appropriation shortfall 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 Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Umberger – Yes (10-Yes; 0-No)
MOTION ADOPTED.

CHAPTER 91:121, LAWS OF 2021, NEW HAMPSHIRE VETERANS HOME; TRANSFER
AMONG ACCOUNTS AND CLASSES:

FIS 22-132 New Hampshire Veterans Home – Kimberly MacKay, Commandant, and Matthew Henry, Director of Administrative Services, New Hampshire Veterans Home responded to questions of the Committee.

On a motion by Senator Daniels, seconded by Senator Giuda, that the Committee approve the request of the New Hampshire Veterans Home to transfer \$1,137,500 in general/federal/other funds between expenditure classes 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 Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes

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

CHAPTER 469:61, LAWS OF 1983, AND RSA9:16-a, II, TRANSFERS AUTHORIZED:

FIS 22-142 Board of Tax and Land Appeals – Michele LeBrun Chair, and Anne Stelmach, Clerk, Board of Tax and Land Appeals responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Almy, that the Committee approve the request of the Board of Tax and Land Appeals to contract for appraisal and assessing review services in an amount not to exceed \$280,684, by creating an expense class 103 Contracts for Program Services in lieu of hiring a review appraiser 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 Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D'Allesandro – Yes
Representative Umberger – Yes (10-Yes; 0-No)
MOTION ADOPTED.

LATE ITEM:

FIS 22-153 New Hampshire Fish and Game Department - Scott Mason, Executive Director, NH Fish and Game Department, and Ted Diers, Administrator, Water Pollution Division, Department of Environmental Services, presented handouts and responded to questions of the Committee.

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 accept and expend \$55,000,000 in federal funds from the American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) for the purpose of the design and construction of three fish hatchery systems 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 Almy (Alternate) – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Umberger – Yes (10-Yes; 0-No)
MOTION ADOPTED.

ARPA FUNDING UPDATE:

Department of Health and Human Services – Kerrin Lucas, Chief Financial Officer, Department of Health and Human Services presented a handout and updated the Committee relative to American Rescue Plan Act (ARPA) funds they have received that have not gone through the Governor’s Office for Emergency Relief and Recovery (GOFERR).

Department of Environmental Services – Robert Scott, Commissioner, and Susan Carlson, Chief Operating Officer, Department of Environmental Services presented handouts and updated the Committee relative to American Rescue Plan Act (ARPA) funds they have received that have not gone through the Governor’s Office for Emergency Relief and Recovery (GOFERR).

DEPARTMENT OF ADMINISTRATIVE SERVICES UPDATE:

Charles Arlinghaus, Commissioner, Department of Administrative Services, presented handouts and updated the Committee on the status of hiring three (3) Human Resource positions as approved by the Committee on February 18, 2022 (FIS 22-081).

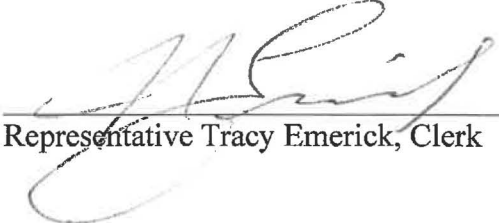
The Committee recognized Joseph Bouchard, Assistant Commissioner, Department of Administrative Services, for his years of service and his help to the Department over the years as he will be retiring.

AUDIT INFORMATIONAL MATERIALS:

No discussion held.

DATE OF NEXT MEETING AND ADJOURNMENT:

The Chair scheduled the next regular meeting of the Fiscal Committee for Friday, May 20, 2022 at 10:00 a.m. to be held in Room 210-211 of the Legislative Office Building. (Whereupon the meeting adjourned at 1:07 p.m.)



Representative Tracy Emerick, Clerk