

CAPITAL BUDGET OVERVIEW COMMITTEE

MINUTES

April 2, 2021

The Capital Budget Overview Committee met on Friday, April 2, 2021 at 8:00 a.m. remotely via Zoom Webinar.

The following members were in attendance:

Representative John Graham  
Representative Mark McConkey  
Representative Joseph Pitre  
Representative Robert Theberge  
Representative Tom Buco  
Senator John Reagan  
Senator Gary Daniels  
Senator Erin Hennessey  
Senator David Watters

The Zoom meeting convened at 8:00 a.m., with the assistance of Christopher Shea, Deputy Legislative Budget Assistant.

OFFICIAL AUDIO CONFERENCE MEETING PROCEDURES:

Representative Graham opened the meeting with the following Right-to-Know checklist;

*“As Acting Chair of the Capital Budget Overview Committee, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with House Rule 67 and the Governor’s Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.”*

*“Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor’s Emergency Order. However, in accordance with the Emergency Order, I am confirming that:”*

*“All members of the committee and select legislative staff have the ability to communicate contemporaneously during this meeting through the Zoom electronic meeting platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting by the Zoom platform or by telephone. All necessary access information has been made available in the House and Senate Calendars, the Capital Budget Overview Committee agenda, the website of the Office of the Legislative Budget Assistant and through the electronic calendar on the General Court website.”*

*“The notice for this meeting notice complies with House Rules and RSA 91-A.”*

*“Anyone who has a problem accessing the meeting should email:  
LBA\_CBOC@leg.state.nh.us”*

*“In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.”*

*“Please note that all votes that are taken during this meeting shall be done by roll call vote. Let’s start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.”*

ATTENDANCE ROLL CALL:

Representative Graham announced the meeting would start by taking the roll of attendance and Representative Bucu, as Acting Clerk, called the Roll of voting members.

Representative Graham – Present/his wife is in the home but will be leaving  
Representative McConkey – Present/in his home office, and his son is in the home  
Representative Pitre – Present/at home in Farmington, and his family is in the home  
Representative Theberge – Present/at home in Berlin, alone  
Representative Cloutier – Absent  
Representative Bucu – Present/ at home in Conway, alone  
Senator Reagan – Present/in his office in Deerfield, alone  
Senator Daniels – Present/in his home office in Milford, alone  
Senator Hennessey – Present/at home in Littleton, with one child in the home  
Senator Watters – Present/at home in Dover, alone in the room

ORGANIZATION OF COMMITTEE:

On a motion by Representative McConkey, seconded by Senator Daniels, that Representative John Graham be nominated and confirmed as Chairman of the Capital Budget Overview Committee for this biennium.

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

Representative McConkey – Yes  
Representative Pitre – Yes  
Representative Theberge – Yes  
Representative Cloutier – Absent  
Representative Bucu – Yes  
Senator Reagan – Yes  
Senator Daniels – Yes  
Senator Hennessey – Yes  
Senator Watters – Yes  
Representative Graham - Abstained  
MOTION ADOPTED.

(8-Yes; 0-No; 1-Abstained)

On a motion by Senator Daniels, seconded by Representative Pitre, that Senator John Reagan be nominated and confirmed as Vice Chairman of the Capital Budget Overview Committee.

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

Representative McConkey – Yes  
Representative Pitre – Yes  
Representative Theberge – Yes  
Representative Cloutier – Absent  
Representative Buco – Yes  
Senator Reagan – Yes  
Senator Daniels – Yes  
Senator Hennessey – Yes  
Senator Watters – Yes  
Representative Graham – Yes (9-Yes; 0-No)  
MOTION ADOPTED.

On a motion by Senator Hennessey, seconded by Representative Pitre, that Representative John Cloutier be nominated and confirmed as Clerk of the Capital Budget Overview Committee.

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

Representative McConkey – Yes  
Representative Pitre – Yes  
Representative Theberge – Yes  
Representative Cloutier – Absent  
Representative Buco – Yes  
Senator Reagan – Yes  
Senator Daniels – Yes  
Senator Hennessey – Yes  
Senator Watters – Yes  
Representative Graham – Yes (9-Yes; 0-No)  
MOTION ADOPTED.

COMMITTEE ORIENTATION:

The Chair recommended the members refer to CAP 21-003 – Revised Statutes Annotated for the Capital Budget Overview Committee, January 2021 for informational purposes.

ACCEPTANCE OF MINUTES:

On a motion by Representative Pitre, seconded by Senator Watters, that the minutes of the November 30, 2020 meeting be accepted as written.

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

Representative McConkey – Yes  
Representative Pitre – Abstained  
Representative Theberge – Abstained  
Representative Cloutier – Absent  
Representative Buco – Yes  
Senator Reagan – Abstained  
Senator Daniels – Abstained  
Senator Hennessey – Abstained  
Senator Watters – Yes  
Representative Graham – Yes (4-Yes; 0-No; 5-Abstained)  
MOTION ADOPTED.

OLD BUSINESS:

None

NEW BUSINESS:

CHAPTER 146:11, LAWS OF 2019, TRANSFERS:

CAP 21-004 Pease Development Authority, Division of Ports and Harbors – Geno Marconi, Director, Division of Ports and Harbors, Pease Development Authority, presented the request and responded to questions of the Committee.

On a motion by Senator Watters, seconded by Senator Daniels, that the Committee approve the request of the Pease Development Authority, Division of Ports and Harbors, to; 1) transfer the remaining balance of \$58,987.23 from the Hampton Dredging Capital Project appropriation, Chapter 146 HB 25-A XIII A (“Hampton”), to the Rye Harbor Dredging Capital Project appropriation, Chapter 146 HB 25-A XIII B, (“Rye”), as specified in the request dated February 22, 2021.

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

Representative McConkey – Yes  
Representative Pitre – Yes  
Representative Theberge – Yes  
Representative Cloutier – Absent

Representative Buco – Yes  
Senator Reagan – Yes  
Senator Daniels – Yes  
Senator Hennessey – Yes  
Senator Watters – Yes  
Representative Graham – Yes       (9-Yes; 0-No)  
MOTION ADOPTED.

RSA 12-G:46, III, HARBOR DREDGING AND PIER MAINTENANCE FUND  
ESTABLISHED:

CAP 21-006 Pease Development Authority, Division of Ports and Harbors – Geno Marconi, Director, Division of Ports and Harbors, Pease Development Authority, presented the request and responded to questions of the Committee.

On a motion by Representative McConkey, seconded by Senator Hennessey, that the Committee approve the request of the Pease Development Authority, Division of Ports and Harbors, for prior approval of the Capital Budget Overview Committee to expend not more than \$50,000 from the Harbor Dredging and Pier Maintenance Fund for the purpose of effecting repairs at Division facilities on an as-needed basis, as specified in the request dated February 18, 2021.

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

Representative McConkey – Yes  
Representative Pitre – Yes  
Representative Theberge – Yes  
Representative Cloutier – Absent  
Representative Buco – Yes  
Senator Reagan – Yes  
Senator Daniels – Yes  
Senator Hennessey – Yes  
Senator Watters – Yes  
Representative Graham – Yes       (9-Yes; 0-No)  
MOTION ADOPTED.

CAP 21-008 Pease Development Authority, Division of Ports and Harbors – Geno Marconi, Director, Division of Ports and Harbors, Pease Development Authority, presented the request and responded to questions of the Committee.

On a motion by Senator Daniels, seconded by Senator Hennessey, that the Committee approve the request of the Pease Development Authority, Division of Ports and Harbors, to expend not more than \$46,721 from the Harbor Dredging and Pier Maintenance Fund for the purpose of accepting and funding a proposal from Appledore Marine Engineering, LLC., to support obtaining the necessary regulatory approvals for main pier dredging improvements, in

conjunction with the Functional Replacement project, as specified in the request dated March 22, 2021.

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

Representative McConkey – Yes  
Representative Pitre – Yes  
Representative Theberge – Yes  
Representative Cloutier – Absent  
Representative Buco – Yes  
Senator Reagan – Yes  
Senator Daniels – Yes  
Senator Hennessey – Yes  
Senator Watters – Yes  
Representative Graham – Yes (9-Yes; 0-No)  
MOTION ADOPTED.

RSA 228:12-a USE OF TOLL CREDITS:

CAP 21-002 Department of Transportation – Marie Mullen, Director of Finance, Department of Transportation responded to questions of the Committee. Ann Scholz, Civil Engineer V, Department of Transportation was also present.

On a motion by Senator Watters, seconded by Representative McConkey, that the Committee approve the request of the Department of Transportation, Bureau of Materials and Research, to use \$172,681.94 of Turnpike Toll Credit, based on the \$863,409.70 estimated cost of research related work to meet funding match requirements for; seven (7) proposed research projects as described in the federally approved Department's 2021 State Planning and Research Part II (SPR2) Work Program, as specified in the request dated February 17, 2021.

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

Representative McConkey – Yes  
Representative Pitre – Yes  
Representative Theberge – Yes  
Representative Cloutier – Absent  
Representative Buco – Yes  
Senator Reagan – Yes  
Senator Daniels – Yes  
Senator Hennessey – Yes  
Senator Watters – Yes  
Representative Graham – Yes (9-Yes; 0-No)  
MOTION ADOPTED.

INFORMATIONAL:

Senator Watters asked the Department of Transportation questions pertaining to the Capital Budget Quarterly Report (CAP 21-001) regarding the projection for when held projects will begin, to which Marie Mullen, Director of Finance, Department of Transportation responded that the projects that were held due to the COVID-19 Pandemic will now be moving forward.

LATE ITEM:

The Department of Health and Human Services, New Hampshire Hospital submitted a late item CAP 21-009 Department of Health and Human Services prior to the meeting requesting Committee approval.

Representative Graham notified the Committee that the \$17,000,000 required for this project is not in the Capital Budget.

Heather Moquin, Chief Executive Officer, Jason Teaster, Administrator, New Hampshire Hospital, and Lori Weaver, Deputy Commissioner, Department of Health and Human Services, presented the request and responded to questions of the Committee.

On a motion by Senator Watters, seconded by Representative McConkey, that the Committee **conditionally approve** the request of the Department of Health and Human Services, New Hampshire Hospital, pursuant to RSA 21-I:80, for approval of the Department's intent to proceed with a design-build construction delivery method to construct a Forensic Hospital to treat patients currently being housed at the Department of Corrections Secure Psychiatric Unit **using only the money they have available.**

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

Representative McConkey – Yes  
Representative Pitre – Yes  
Representative Theberge – Not Present  
Representative Cloutier – Absent  
Representative Buco – Yes  
Senator Reagan – Yes  
Senator Daniels – No  
Senator Hennessey – Yes  
Senator Watters – Yes  
Representative Graham – Yes      (7-Yes; 1-No)  
MOTION ADOPTED.

INFORMATIONAL ITEMS:

The informational items were accepted and placed on file.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next remote meeting of the Capital Budget Overview Committee was scheduled for Friday, June 4, 2021 at 8:00 a.m. Whereupon the meeting adjourned at 9:05 a.m.

  
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Representative Thomas Buco, Acting Clerk