

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
March 19, 2021

The Fiscal Committee of the General Court met on Friday, March 19, 2021 at 10:00 a.m. via Zoom Webinar.

Members in attendance were as follows:

Representative Ken Weyler, Chairman
Representative Lynne Ober
Representative Tracy Emerick
Representative Peter Leishman
Representative Karen Umberger
Senator Gary Daniels
Senator Regina Birdsell (Alternate)
Senator Bob Giuda
Senator Cindy Rosenwald
Senator Lou D'Allesandro

The Zoom Webinar convened at 10:09 a.m., with the assistance of Michael Kane, Legislative Budget Assistant.

OFFICIAL AUDIO CONFERENCE MEETING PROCEDURES:

The Chair opened the meeting with the following Right-to-Know checklist;

“As Chair of the Fiscal 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. This is a regular meeting of the Committee.”

“Please note that there is no physical location for members of the public to observe and listen contemporaneously to this meeting. However, in accordance with the Emergency Order, I am confirming that all Members of the Committee and selected 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, and through the electronic calendar on the General Court website. The notice for this meeting complies with House Rules and RSA 91-A. Anyone who has a problem accessing the meeting should e-mail LBA_Fiscal@leg.state.nh.us.”

“In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. LBA staff are on the meeting assisting us. Please note that all votes taken

during this meeting shall be done by roll call vote”

ATTENDANCE ROLL CALL:

The Chair called the meeting to order and asked Representative Umberger to call the Roll.

Requesting that Members acknowledge their presence, state their location and if others are present, Representative Umberger called the Roll of voting members.

Representative Ober – Present/at home in Hudson, alone
Representative Emerick – Present/at his home office in Hampton, alone
Representative Leishman – Present/at home in Peterborough, his wife is in the home
Representative Umberger – Present/at home in Kearsarge, alone
Senator Daniels – Present/at home in Milford, alone
Senate Birdsell (Alternate) – Present/at home in Hampstead, and her husband is in the home
Senator Giuda – Present/at home in Warren, alone in room, however family are in the house
Senator Rosenwald – Present/at home in Nashua, alone in the room
Senator D’Allesandro – Present/at home in Manchester, alone
Representative Weyler – Present/in Kingston, alone in room but others are in the house

ACCEPTANCE OF MINUTES:

On a motion by Senator Daniels to approve the minutes of the February 19, 2021 meeting, seconded by Senator D’Allesandro, who announced that Senator Giuda had a correction for the minutes of the February 19, 2021 meeting.

Senator Giuda pointed out that during the course of the February 19th meeting he had requested of the Chief of Enforcement for the Liquor Commission, a copy of the report in which the Chief had indicated detailed the management shortcomings of the organization prior to the performance audit being completed. Senator Giuda stated that his request was not reflected in the minutes, nor had he received a copy of the report.

On a motion by Senator D’Allesandro, seconded by Senator Daniels, that the minutes of February 19, 2021 be accepted as amended, with a further motion by Senator Giuda, seconded by Representative Leishman, to incorporate the language that Senator Giuda requested a copy of the Enforcement Chief assessment previously written on management be delivered to the Committee Members.

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

Representative Ober – Yes

Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Birdsell (Alternate) – Abstained
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (9-Yes; 0-No; 1-Abstained)
MOTION ADOPTED AS AMENDED.

NEW BUSINESS:

RSA 9:16-a, II, TRANSFERS AUTHORIZED:

CONSENT CALENDAR

On a motion by Representative Ober, seconded by Senator D’Allesandro, that the Committee approve the requests under this section as submitted. [FIS 21-049 Department of Administrative Services – authorization to transfer \$210,500 in general funds and create new class codes through June 30, 2021, and FIS 21-050 Department of Natural and Cultural Resources – authorization to transfer \$25,000 in other funds and establish a new class through June 30, 2021]

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Birdsell (Alternate) – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – 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:

CONSENT CALENDAR

On a motion by Senator D’Allesandro, seconded by Senator Rosenwald, that the Committee approve the requests under this section as submitted. [FIS 21-051 Department of Corrections – authorization to retroactively accept and expend \$705,055 in other funds for the period

beginning January 1, 2021 through June 30, 2021, and FIS 21-053 Department of Safety – authorization to accept and expend \$177,096 in other funds through June 30, 2021]

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Birdsell (Alternate) – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

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

FIS 21-057 Department of Safety – Steven Lavoie, Director of Administration, Department of Safety, responded to questions of the Committee.

On a motion by Senator Rosenwald, seconded by Representative Emerick, that the Committee approved the request of the Department of Safety to budget and expend \$70,000 in other funds from the Prior Year Carry Forward Balance fund through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Birdsell (Alternate) – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 228:12 TRANSFERS FROM HIGHWAY SURPLUS ACCOUNT:

FIS 20-054 Department of Transportation – On a motion by Senator D’Allesandro, seconded by Senator Daniels, that the Committee approve the request of the Department of

Transportation to transfer \$525,000 in highway funds from the Highway Surplus Account to fund winter maintenance activities through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Birdsell (Alternate) – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

MISCELLANEOUS:

None

AUDIT INFORMATIONAL MATERIEALS:

Rosemary Wiant, Chief Operating Officer, and Joseph Mollica, Chairman, New Hampshire Liquor Commission responded to questions and assured the Committee that Chief Armaganian’s 2017 Assessment that Senator Giuda requested at the February 19, 2021 meeting would be sent to the LBA and distributed to all the Members. They also spoke to item FIS 21-058 New Hampshire Liquor Commission – letter dated February 25, 2021 in response to Committee questions during the presentation of the State of New Hampshire, Liquor Commission, Division of Enforcement and Licensing, Performance Audit Report, February 2021.

Senator Giuda expressed his desire to further discuss at the next meeting the follow-up situation on the audit oversights.

Frank Edelblut, Commissioner, Department of Education, responded to questions of the Committee and spoke to the Department of Education, Bureau of Vocational Rehabilitation – progress update regarding the State of New Hampshire, Bureau of Vocational Rehabilitation, Performance Audit Report, February 2021, which was submitted as a late item.

Representative Emerick reported that he had reached out the Audit subcommittee members for feedback on determining the committee objective for examining the Fiscal Committee’s audit procedures and will stay in touch.

AUDITS:

On a motion by Representative Umberger, seconded by Representative Ober, that the Committee accept, place on file, and release in the usual manner the following audit reports; State of New Hampshire, Lottery Commission, Management Letter For The Fiscal Year Ended June 30, 2020; State of New Hampshire, Liquor Commission, Management Letter For The Fiscal Year Ended June 30, 2020; and State of New Hampshire, Sununu Youth Services Center, Performance Audit, March 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Birdsell (Alternate) – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

State of New Hampshire, Lottery Commission, Management Letter, For the Fiscal Year Ended June 30, 2020 – Stephen Smith, Director of Audits, and Kimberly Bisson, Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Charles McIntyre, Executive Director, responded to questions of the Committee, and James Duris, Chief Financial Officer, Lottery Commission was also present.

State of New Hampshire, Liquor Commission, Management Letter, For the Fiscal Year Ended June 30, 2020 – Stephen Smith, Director of Audits, and James LaRiviere, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Joseph Mollica, Chairman, responded to questions of the Committee, and Rosemary Wiant, Chief Operating Officer, and Tina Demers, Chief Financial Officer, New Hampshire Liquor Commission were also present.

State of New Hampshire, Sununu Youth Services Center, Performance Audit, March 2021 – Stephen Smith, Director of Audits, and John Clinch, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Joseph Ribsam, Director, Division of Children, Youth and Families, responded to questions of the Committee, and was joined by Rhonda Chasse, Director of Operations, Sununu Youth Services Center, Department of Health and Human Services.

DATE OF NEXT MEETING AND ADJOURNMENT:

The Chair scheduled the next regular meeting of the Fiscal Committee for Friday, April 16, 2021 at 10:00 a.m.

On a motion by Senator D'Allesandro, seconded by Senator Birdsell, that the Committee adjourn, whereupon the meeting adjourned by consensus at 11:24 a.m.


Representative Karen Umberger, Clerk