

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
September 14, 2023

The Fiscal Committee of the General Court met on Thursday, September 14, 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 Maureen Mooney (Alternate)
Representative David Huot (Alternate)
Representative Mary Heath (Alternate)
Representative Gerald Griffin (Alternate)
Senator James Gray, Vice Chairman
Senate President Jeb Bradley
Senator Regina Birdsell
Senator Lou D'Allesandro
Senator Cindy Rosenwald

The Chair called the meeting to order at 10:05 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator Gray, seconded by Senator Bradley, that the Committee approve the minutes of the August 11, 2023 meeting as written. MOTION ADOPTED.

OLD BUSINESS:

None

NEW BUSINESS:

RSA 14:30-a, III AUDIT TOPIC RECOMMENDATION BY LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE:

FIS 23-279 Letter from Senator Cindy Rosenwald, Chair of the Joint Legislative Performance Audit and Oversight Committee – On a motion by Senator Rosenwald, seconded by Senator Gray, that the Committee approve the request of the Joint Legislative Performance Audit and Oversight Committee relative to the recommendation of the following performance audit topic: Department of State's Division of Archives and Records Management. MOTION ADOPTED.

CONSENT CALENDAR

As announced by the Chair, the following items were removed from the Consent Calendar to be acted on individually;

- Tab 6 Pursuant to RSA 14:30-a, VI.
FIS 23-267
- Tab 7 Pursuant to RSA 14:30-a, VI. and RSA 124:15
FIS 23-268
- Tab 8 Pursuant to ARPA RSA 14:30-a, VI.
FIS 23-251

On a motion by Senator Gray, seconded by Senator Rosenwald, that the Committee approve all the remaining requests under the Consent Calendar, Tabs 4, 5, 6, 7, and 8, as submitted. MOTION ADOPTED. [TAB 4 pursuant to RSA 9:16-a. II, FIS 23-260 Judicial Council – authorization to transfer \$3,299 in general funds within an existing accounting unit, and establish a new class code for overtime expenses through June 30, 2025, FIS 23-273 Department of Safety – authorization to transfer \$8,638 in federal/other funds and create two (2) new expenditure class codes through June 30, 2024, and FIS 23-274 Department of Administrative Services – authorization to transfer \$50,000 in other funds between classes and create new expenditure class 020 Current Expenses in an accounting unit through June 30, 2024; TAB 5 pursuant to RSA 9:16-c. I, FIS 23-275 Department of Environmental Services – authorization to transfer federal funds in the amount of \$224,491 in fiscal year 2024 and \$162,193 in fiscal year 2025 between classes within an accounting unit through June 30, 2025; TAB 6 pursuant to RSA 14:30-a, VI., FIS 23-250 New Hampshire Fish and Game Department – authorization to accept and expend \$854,231 in federal funds through June 30, 2024, FIS 23-252 Department of Health and Human Services – authorization to accept and expend \$561,371 in additional federal funds through June 30, 2025, FIS 23-253 Department of Health and Human Services – authorization to accept and expend \$1,348,472 in additional federal funds through June 30, 2025, FIS 23-254 Department of Health and Human Services – authorization to accept and expend \$44,928,833 in other funds through June 30, 2025, FIS 23-255 Department of Health and Human Services – authorization to accept and expend \$473,936 in federal funds through June 30, 2025, FIS 23-256 Department of Health and Human Services – authorization to accept and expend \$131,818 in federal funds through June 30, 2025, FIS 23-265 Department of Agriculture, Markets and Food – authorization to accept and expend \$919,000 in federal funds through June 30, 2025, FIS 23-266 Department of Environmental Services – authorization to accept and expend \$300,275 in federal funds through June 30, 2025, FIS 23-269 Department of Safety – authorization to accept and expend \$4,350,162 in federal funds through June 30, 2025, and FIS 23-276 Department of Administrative Services – authorization to accept and expend \$180,000 in other funds through June 30, 2024; TAB 7 pursuant to RSA 14:30-a. VI, and RSA 124:15, FIS 23-257 Department of Information Technology – authorization through June 30, 2025 to; 1) accept and expend \$2,373,934 in other funds in State Fiscal Year 2024, and 2) contingent upon approval of Request #1, establish Class 046-Consultants, and FIS 23-277 Department of Military Affairs and Veterans Services – authorization through September 30, 2024 to; 1) accept and expend \$168,645 in additional federal funds, and 2) contingent upon approval of Request #1, create one (1) temporary full-time Program Specialist IV (LG 25) position; and TAB 8 pursuant to ARPA RSA 14:30-a, VI, FIS 23-249 Department of Education – authorization to amend FIS 21-268, originally approved September 17, 2021 and subsequently extended on (FIS 23-167) May 19, 2023, by reallocating funds and accepting and expending an additional amount

of \$18,946 in federal American Rescue Plan Homeless Children and Youth Grant funds 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 23-267 Department of Health and Human Services – Nathan White, Chief Financial Officer, and Ellen Lapointe, Chief Executive Officer, New Hampshire Hospital, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Birdsell, that the Committee approve the request of the Department of Health and Human Services through June 30, 2025 to; 1) accept and expend \$4,641,087 in federal funds, and 2) contingent upon approval of Request #1, accept and expend \$4,636,450 in other funds and create a new expenditure class 080 (Out of State Travel). 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, AND RSA 124:15 POSITIONS AUTHORIZED:

CONSENT CALENDAR

FIS 23-268 Department of Health and Human Services – Nathan White, Chief Financial Officer, and Katja Fox, Director, Division for Behavioral Health, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator Rosenwald, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Health and Human Services to; 1) retroactively amend FIS 23-138, approved April 21, 2023, by extending the end date from June 30, 2023 to March 30, 2024, and 2) contingent upon approval of Request #1, retroactively extend one (1) temporary full-time Administrator II (LG 29-Position #9T2927) retroactive to July 1, 2023 through March 30, 2024. 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 23-251 New Hampshire Fish and Game Department – Scott Mason, Executive Director, New Hampshire Fish and Game Department responded to questions of the Committee.

On a motion by Senator Bradley, seconded by Senator Birdsell, that the Committee approve the request of the New Hampshire Fish and Game Department to retroactively amend FIS 21-343, approved November 19, 2021, by extending the end date from April 1, 2023 to June

30, 2024 and to accept and expend \$50,732 in other federal American Rescue Plan (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2024. MOTION ADOPTED.

RSA 21-I:42, VI. AS AMENDED BY HB 2, LAWS OF 2023, DIVISION OF PERSONNEL:
REGULAR CALENDAR

FIS 23-258 Department of Administrative Services – On a motion by Senator Gray, seconded by Senator Bradley, that the Committee approve the request of the Department of Administrative Services to reauthorize the Winter Maintenance Employee Retention Incentive Program at the Department of Transportation through June 30, 2024. MOTION ADOPTED.

RSA 21-I:42, VI. AS AMENDED BY HB 2, LAWS OF 2023, DIVISION OF PERSONNEL,
AND RSA 228:12 TRANSFERS FROM HIGHWAY SURPLUS ACCOUNT, AND RSA
237:15-a TRANSFERS FROM THE GENERAL RESERVE ACCOUNT:
REGULAR CALENDAR

FIS 23-259 Department of Administrative Services – On a motion by Senator D’Allesandro, seconded by Senator Birdsell, that the Committee approve the request of the Department of Administrative Services seeking approval of expenditures under the Winter Maintenance Employee Retention Incentive Program, on behalf of the Department of Transportation through June 30, 2024 to; 1) transfer \$4,145,000 in highway funds from the Highway Surplus Account, and 2) transfer \$713,500 in turnpike funds from the Turnpike General Reserve Account. MOTION ADOPTED.

RSA 162:T-5, REPORTING AND APPROVAL REGARDING WORKFORCE
DEVELOPMENT PROGRAM:

REGULAR CALENDAR

FIS 23-270 New Hampshire Business Finance Authority – On a motion by Senator Gray, seconded by Representative Mooney, that the Committee approve the request of the New Hampshire Business Finance Authority for approval of the proposed guidelines and procedures for the Regenerative Workforce Development Program, dated August 16, 2023. MOTION ADOPTED.

RSA 216-A:3-g FEES FOR PARK SYSTEM:

REGULAR CALENDAR

FIS 23-278 Department of Natural and Cultural Resources – Sarah Stewart, Commissioner, and Greg Keeler, Interim Manager, Cannon Mountain and Franconia Notch State Park, Department of Natural and Cultural Resources responded to questions of the Committee.

On a motion by Senator Rosenwald, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Natural and Cultural Resources for approval of the fee package (on day tickets) for the marquee Winter 2023/24 and Summer 204

seasons for products at Cannon Mountain Aerial Tramway & Ski Area, in addition to Flume Gorge entry products for summer 2024 and the 2023/24 Cannon Mountain Winter Special Use Policy. MOTION ADOPTED.

RSA 228:69, I. (b) APPROPRIATION AND USE OF SPECIAL RAILROAD FUND:
REGULAR CALENDAR

FIS 23-271 Department of Transportation – On a motion by Senator Birdsell, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Transportation to enter into agreements with Railroad Operators for an amount not to exceed \$1,401,000 in other funds from the Special Railroad Fund for the maintenance and repair of state-owned railroad lines through June 30, 2025. MOTION ADOPTED.

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

FIS 23-272 Office of the Consumer Advocate – On a motion by Senator D’Allesandro, seconded by Senator Bradley, that the Committee approve the request of the Office of the Consumer Advocate to enter into a contract with Larkin & Associates, PLLC of 15728 Farmington Road, Livonia, MI 48154 to provide certain expert services in connection with rate cases at the Public Utilities Commission in an amount not to exceed \$320,000 in other funds through June 30, 2025. MOTION ADOPTED.

MISCELLANEOUS:

Office of Legislative Budget Assistant – Christopher Shea, Deputy Legislative Budget Assistant, requested to fill two (2) vacant staff auditor positions in the LBA, Audit Division.

On a motion by Senator Gray, seconded by Senator Bradley, that the Committee approve the request of the Legislative Budget Assistant to fill two (2) vacant staff auditor positions in the LBA, Audit Division. MOTION ADOPTED.

New Hampshire Youth Development Center Claims Administration and Settlement Fund – Update from the Claims Administrator and Attorney General, including a discussion on any recommended changes to the Fund.

As The Honorable John T. Broderick, Administrator NH Youth Development Center Claims Administration and Settlement Fund and Attorney General John Formella were unable to attend the meeting, Senator Gray suggested that the two caucuses meet individually with the Administrator and Attorney General.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

The Committee recessed at 10:34 a.m., and reconvened at 10:40 a.m.

AUDITS

State of New Hampshire, Internal Control Review, Establishment and Maintenance Of Vendor Accounts, September 2023 – Christine Young, 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. Sheri Rockburn, Assistant Commissioner, and Dana Call, State Comptroller, Department of Administrative Services were present to respond to questions of the Committee.

On a motion by Representative Erf, seconded by Senator Bradley, 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, October 19, 2023 at 10:00 a.m.

On a motion by Senator Bradley, seconded by Representative Erf, that the meeting adjourn. (Whereupon the meeting adjourned at 11:00 a.m.)



Representative Keith Erf, Clerk