

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
March 15, 2024

The Fiscal Committee of the General Court met on Friday, March 15, 2024, 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 Mary Jane Wallner
Representative Peter Leishman
Representative David Huot (Alternate)
Representative Gerald Griffin (Alternate)
Senator James Gray, Vice Chairman
Senator Daniel Innis (Alternate)
Senator Regina Birdsell
Senator Lou D'Allesandro
Senator Cindy Rosenwald

The Chair called the meeting to order at 10:00 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator Gray, seconded by Senator D'Allesandro, that the Committee approve the minutes of the February 16, 2024 meeting as written. MOTION ADOPTED.

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 6 Pursuant to RSA 14:30-a, VI.
FIS 24-078, 24-082
- Tab 8 Pursuant to ARPA RSA 14:30-a, VI.
FIS 24-088, 24-092, 24-094

On a motion by Senator Gray, seconded by Representative Edwards, 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 24-073 Department of Administrative Services – authorization to transfer \$91,600 in general funds and create a new expenditure class code through June 30, 2024, and FIS 24-074 Department of Transportation – authorization to transfer \$1,321,703 in turnpike funds between various accounts and classes through June 30, 2024; TAB 4 pursuant to RSA 9:16-c, I., FIS 24-075 Department of Education – authorization to transfer \$394,000 in federal funds in and among classes through June 30, 2025, and FIS 24-076 Department of Safety – authorization to transfer \$234,580 in other funds and establish a new expenditure class code through June 30, 2025; TAB 5 pursuant to RSA 9:16-c, I. and RSA 9:16-a, II., FIS 24-077 Department of Transportation – authorization through June 30, 2024 to; 1) establish various non-budgeted classes in various accounting units and to transfer \$15,000 in federal funds between various accounts and classes, and 2) establish various non-budgeted classes in various accounting units and to transfer \$426,743 in highway funds between various accounts and classes; TAB 6 pursuant to RSA 14:30-a, VI., FIS 24-079 Department of Environmental Services – authorization to accept and expend \$131,710 in federal funds through June 30, 2025, FIS 24-080 Department of Environmental Services – authorization to budget and expend \$875,000 in other funds through June 30, 2025, FIS 24-081 New Hampshire Fish and Game Department – authorization to accept and expend \$107,311 in other funds through June 30, 2025, FIS 24-083 Department of Safety – authorization to accept and expend \$198,250 in other funds through September 30, 2024, FIS 24-084 Department of Safety – authorization to accept and expend \$1,076,532 in federal funds through June 30, 2025, FIS 24-085 Department of Safety – authorization to accept and expend \$297,232 in federal funds through June 30, 2025, FIS 24-086 Department of Safety – authorization to accept and expend \$497,374 in federal funds through September 30, 2024, FIS 24-098 Department of Education – authorization to accept and expend \$300,000 in federal funds through June 30, 2025, FIS 24-106 Department of Natural and Cultural Resources – authorization to budget and expend \$168,224 in other funds through June 30, 2025, and FIS 24-107 Department of Safety – authorization to accept and expend \$100,000 in other funds through June 30, 2025; TAB 7 pursuant to RSA 14:30-a, VI. and RSA 124:15, FIS 24-087 Department of Education – authorization through June 30, 2025 to; 1) accept and expend \$2,693,650 in federal funds, and 2) contingent upon approval of Request #1, establish four (4) full-time temporary positions; and TAB 8 pursuant to ARPA RSA 14:30-a, VI., FIS 24-089 Department of Environmental Services – authorization to amend FIS 22-406, approved November 18, 2022, and as extended (FIS 23-166) on May 19, 2023, by reallocating funds in the amount of \$387,873 in federal funds between class lines and create a new expenditure class code through June 30, 2025, FIS 24-090 Department of Environmental Services – authorization to accept and expend \$3,500,000 in federal American Rescue Plan Act of 2021 (ARPA) funds through June 30, 2025, FIS 24-091 Governor’s Office for Emergency Relief And Recovery – authorization to accept and expend \$106,567 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2025, FIS 24-093 Department of Health and Human Services – authorization to accept and expend \$765,917 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through September 30, 2024, FIS 24-095 New Hampshire State Commission on Aging – authorization to accept and expend an amount not to exceed \$399,000 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through September 30, 2024, FIS 24-096 Department of Safety – authorization to accept and expend \$450,000 in federal American Rescue Plan Act of 2021 (ARPA) State and Local Fiscal Recovery Funds (FRF) through September 30, 2024, and FIS 24-097 Department of Safety – authorization to accept and expend \$3,000,000 in federal American Rescue Plan Act of 2021 (ARPA) State and Local Fiscal Recovery Funds (FRF) through September 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 24-078 Department of Agriculture, Markets and Food – Shawn Jasper, Commissioner, and Joshua Marshall, Director of Agricultural Development, Department of Agriculture, Markets and Food responded to questions of the Committee.

Senator Birdsell requested a recess at 10:29 a.m. to caucus, and the Committee reconvened at 10:38 a.m.

On a motion by Senator Gray, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Agriculture, Markets and Food to budget and expend \$160,000 in other funds through June 30, 2024. MOTION ADOPTED. (9-Yes; 1-No)

FIS 24-082 Department of Health and Human Services – Nathan White, Chief Financial Officer, Department of Health and Human Services, responded to questions of the Committee. Charles Arlinghaus, Commissioner, Department of Administrative Services was also present to respond to Committee questions.

On a motion by Senator D’Allesandro, seconded by Senator Gray, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$368,000 in other 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 24-088 Department of Agriculture, Markets and Food – On a motion by Senator Birdsell, seconded by Senator Gray, that the Committee table the request of the Department of Agriculture, Markets and Food to amend FIS 22-405, approved November 18, 2022, and as extended (FIS 23-166) on May 19, 2023, by adjusting the project scope and by extending the end date from June 30, 2024 to September 30, 2024, with no increase in funding. MOTION ADOPTED. (6-Yes; 4-No)

FIS 24-092 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 Rosenwald, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$2,661,000 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through September 30, 2024. MOTION ADOPTED.

FIS 24-094 Department of Health and Human Services – Nathan White, Chief Financial Officer, and Katja Fox, Director, Division of Behavioral Health, Department of Health and Human Services responded to questions of the Committee.

On a motion by Representative Edwards, that the Committee table the request of the Department of Health and Human Services to accept and expend \$2,259,878 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through September 30, 2024. No action taken as a second was not received.

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 to accept and expend \$2,259,878 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through September 30, 2024. MOTION ADOPTED. (9-Yes; 1-No).

RSA 198:15-y, III PUBLIC SCHOOL INFRASTRUCTURE FUND:

REGULAR CALENDAR

FIS 24-099 Office Of The Governor – On a motion by Representative Leishman, seconded by Senator Rosenwald, that the Committee approve the request of the Office Of The Governor for approval to amend expenditure authorization in the amount of \$9,882,155.40 for school security improvement projects by extending the end date from June 30, 2024 to June 30, 2025 (Originally approved (FIS 22-380) November 18, 2022, and subsequently amended (FIS 23-164) on May 19, 2023 and (FIS 23-236) on August 11, 2023). MOTION ADOPTED.

RSA 206-33-b TRANSFERS FROM FISH AND GAME FUND:

REGULAR CALENDAR

FIS 24-100 New Hampshire Fish and Game Department – On a motion by Senator Rosenwald, seconded by Senator Gray, that the Committee approve the request of the New Hampshire Fish and Game Department to transfer \$78,000 from the New Hampshire Fish and Game Fund Reserve to the Fish and Game Fiscal Year 2024 Operating Budget through June 30, 2024. MOTION ADOPTED.

RSA 604-A:1-b ADDITIONAL FUNDING:

REGULAR CALENDAR

FIS 24-101 Judicial Council – On a motion by Senator D'Allesandro, seconded by Senator Gray, that the Committee approve the request of the Judicial Council to receive an

additional appropriation from funds not otherwise appropriated in the total amount of \$750,000 in general funds through June 30, 2025. MOTION ADOPTED.

LATE INFORMATIONAL ITEM:

FIS 24-108 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 pertaining to the late informational item summarizing unobligated American Rescue Plan Act of 2021 (ARPA) State Fiscal Recovery Funds (SFRF) made available from previously approved requests in order to reallocate funding to other projects that will be submitted separately for approval at future meetings.

Senator Rosenwald questioned the timing of when the Office knew the \$5 million would not be spent, to which Executive Director Caswell said he would confirm the final date.

INFORMATIONAL ITEMS:

Nathan White, Chief Financial Officer, and Morissa Henn, Deputy Commissioner, Department of Health and Human Services responded to Committee questions pertaining to; FIS 24-105 Department of Health and Human Services – Operating Statistics Dashboard SFY24 report through January 31, 2024, with the exception of data for the Division for Children, Youth and Families staffing, NH Unemployment Rate, and Mental Health and Substance Use Disorder (SUD) Caseloads, which is through December 31, 2023, and further data for the Developmental Disabilities, Acquired Brain Disorders, and In-Home Supports waitlist through June 30, 2023.

AUDITS:

State of New Hampshire, Department of Education, Special Education, Dispute Resolution Processes, Performance Audit Report, March 2024 – Christine Young, Director of Audits, and Paige Lorenz, Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Christine Brennan, Deputy Commissioner, Department of Education was also present to respond to Committee questions.

Representative Erf requested from LBA Audit an electronic copy of the presentation, and Representative Wallner requested that audit copies be sent to both the House and Senate Education Committees.

On a motion by Representative Erf, seconded by Senator Gray, that the report be accepted, placed on file, and released in the usual manner. MOTION ADOPTED. (9-Yes)

Senator Innis was not present for the vote.

State of New Hampshire, Department of Corrections, Internal Control Review, Salary and Benefit Expenditures, February 2024 – Christine Young, Director of Audits, and Kimberly Bisson, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Helen Hanks, Commissioner, Department of Corrections was also present to respond to Committee questions.

The Committee request that the Criminal Justice Committee receive copies of the audit.

On a motion by Representative Erf, seconded by Senator Gray, that the report be accepted, placed on file, and released in the usual manner. MOTION ADOPTED. (7-Yes)

Representatives Edwards and Wallner, and Senator Innis were not present for the vote.

State of New Hampshire, Lottery Commission, Management Letter, For the Fiscal Year Ended June 30, 2023 – Christine Young, Director of Audits, and Jean Mitchell, Audit Supervisor, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Charles McIntyre, Executive Director, and John Conforti, Chief Compliance Officer, Lottery Commission were also present to respond to Committee questions.

On a motion by Representative Erf, seconded by Senator Gray, that the report be accepted, placed on file, and released in the usual manner. MOTION ADOPTED. (7-Yes)

Representatives Edwards and Wallner, and Senator Innis were not present for the vote.

State of New Hampshire, Liquor Commission, Management Letter, For the Fiscal Year Ended June 30, 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. Joseph Molica, Christina Demers, Chief Financial Officer, and James Vara, Chief Operating Officer, Liquor Commission were also present to respond to Committee questions.

The Committee request that the Criminal Justice Committee receive copies of the audit.

On a motion by Representative Erf, seconded by Senator Gray, that the report be accepted, placed on file, and released in the usual manner. MOTION ADOPTED. (6-Yes)

Representatives Edwards and Wallner, and Senators Innis and Birdsell were not present for the vote.

DATE OF NEXT MEETING:

The next regular meeting of the Fiscal Committee was scheduled for Friday, April 19, 2024 at 10:00 a.m. to be held in the Legislative Office Building, Room 210-211. (Whereupon the meeting adjourned at 12:34 p.m.)



Representative Keith Erf, Clerk