

**JOINT LEGISLATIVE FISCAL COMMITTEE**

Legislative Office Building, Rooms 210-211

Concord, NH

Friday, June 17, 2022

**MEMBERS PRESENT:**

Representative Karen Umberger, Chair

Representative Tracy Emerick, Clerk

Representative Jess Edwards

Representative Keith Erf

Representative Peter Leishman

Representative Joseph Pitre (Alt.)

Senator Gary Daniels, Vice-Chair

Senate President Chuck Morse

Senator James Gray

Senator Lou D'Allesandro

Senator Cindy Rosenwald

(The meeting convened.)

**(1) Acceptance of Minutes of the May 20, 2022 meeting**

KAREN UMBERGER, State Representative, Carroll County District #02: Good morning, everyone. I'd like to call the Fiscal Committee meeting to order, if we could. Okay. On the agenda our first thing is acceptance of minutes. Could I have a motion, please?

**\*\*** LOU D'ALLESANDRO, State Senator, Senate District #20: So moved.

CHAIRWOMAN UMBERGER: Thank you, Senator D'Allesandro. Second? By Senator -- Representative Edwards. Are there any corrections, comments, changes? Seeing none. Could I have a show of hands? Oh, okay. Oh, that's beside the point. Eight-one.

**\*\*\* {MOTION ADOPTED}**

**(2) Old Business:**

CHAIRWOMAN UMBERGER: Okay. Is there anyone that is interested in taking FIS 22-203 off the table? Seeing none.

### CONSENT CALENDAR

#### **(3) RSA 9:16-a, I, Transfers Authorized:**

CHAIRWOMAN UMBERGER: We will proceed now to the Consent Calendar. If I'm not mistaken FI --

GARY DANIELS, State Senator, Senate District #11: Just a correction. (Inaudible).

CHAIRWOMAN UMBERGER: Oh, I'm sorry. Yeah. Take off the table. I'm sorry. Thank you, Senator Daniels, FIS 22-023. At this time, I have the following items to be taken off the table. The first one under Tab 4, FIS 22-223. Under Tab 5, FIS 22-208, FIS 22-224, FIS 2236.

TRACY EMERICK, State Representative, Rockingham County, District #21: That's under Tab 7.

CHAIRWOMAN UMBERGER: Yes. Tab 7. Excuse me. Tab 7. Yeah. FIS 22-237, FIS 22-238, and FIS 2240. Are there any other items to come off? Yes, Senator Rosenwald.

CINDY ROSENWALD, State Senator, Senate District #13: Thank you. I think I had been the person who wanted to take 208 off the table. But -- hum -- based on the Department's responses to the questions, I don't feel the need to do that anymore. So if it was just me, I'm happy to leave it on Consent.

CHAIRWOMAN UMBERGER: Okay. Is there anyone that objects to leaving FIS 22-208 on the Consent Calendar? Seeing none, it will be on the Consent Calendar.

SEN. ROSENWALD: Thank you.

CHAIRWOMAN UMBERGER: Thank you. Could I have a motion, please, to accept all of the other items on the Consent Calendar?

\*\* SEN. ROSENWALD: So moved.

CHAIRWOMAN UMBERGER: Oh -- (Inaudible). They're not on the Consent Calendar.

SEN. D'ALLESANDRO: Right, right.

CHAIRWOMAN UMBERGER: Okay. Could I have a motion to approve all of the other items on the Consent Calendar.

\*\* SEN. ROSENWALD: So moved.

CHAIRWOMAN UMBERGER: Senator Rosenwald.

SEN. D'ALLESANDRO: Second.

CHAIRWOMAN UMBERGER: Senator D'Allesandro. (Inaudible). Yeah, I think we better.

REP. EMERICK: Okay. Consent Calendar. Representative Edwards.

JESS EDWARDS, State Representative, Rockingham County, District #04: Yes.

REP. EMERICK: Representative Emerick votes yes. Representative Erf.

KEITH ERF, State Representative, Hillsborough County, District #02: Yes.

REP. EMERICK: Representative Leishman.

PETER LEISHMAN, State Representative, Hillsborough County, District #24: Yes.

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REP. EMERICK: Senator Daniels.

SEN. DANIELS: Yes.

REP. EMERICK: Senator Morse.

(Senator Morse is not present at this time.)

REP. EMERICK: Senator Gray.

JAMES GRAY, State Senator, Senate District #06: Yes.

REP. EMERICK: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. EMERICK: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. EMERICK: Representative Umberger.

CHAIRWOMAN UMBERGER: Yes.

REP. EMERICK: Madam Chair, the vote is 9 to zero.

CHAIRWOMAN UMBERGER: Thank you very much, 9 to zero.

**\*\*\* {MOTION ADOPTED}**

**(4) RSA 9:16-c, I, Transfer of Federal Grant Funds:**

CHAIRWOMAN UMBERGER: So we'll move to FIS 22-223 under Tab 4. And that is the Department of Education.

FRANK EDELBLUT, Commissioner, Department of Education: Good morning. For the record, Frank Edelblut, Commissioner of Education.

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TAMMY VAILLANCOURT, Chief Financial Officer, Department of Education: Tammy Vaillancourt, CFO for Education.

CHAIRWOMAN UMBERGER: Welcome on this beautiful Friday morning. I do want to say -- excuse me just a second. But before everybody walks out the door, I would like to say that -- hum -- the explanations that were sent in this time were much better than what they have been in the past. And I -- I really want to thank the Commissioners and the folks that are actually preparing those explanations for the work that they have been doing --

(Senator Morse enters the Committee room.)

CHAIRWOMAN UMBERGER: -- over the last six months to -- to improve the explanations. So Tab 4, FIS 22-223. Is there someone that has a question on this? Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you very much, Madam Chair. Nice to see you, Commissioner. Commissioner, I -- I love this one, \$580,000 for better use. What is better use?

MR. EDELBLUT: Uh --

SEN. D'ALLESANDRO: That's -- that's a rather expansive term, better use.

MR. EDELBLUT: I think that's a fair criticism.

SEN. D'ALLESANDRO: I could use a half a million for better use. Move it in my way.

MR. EDELBLUT: So, basically, what we're doing here relative to this account is having looked at where we were relative to the spending on this program and seeing the upcoming ending of the grant, we are moving some of those funds around. You know, you'll see much of that funding is -- is pass-through funding in terms of federal grants and that's to the schools. So

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we're going to pass an additional \$420,000 back through to the schools. And then we're also going to be -- and we were not able to hire some positions. So we saved some money in terms of temp full-time and we are going to move that into both those funds that are transferred to the schools, as well as some contracts with *Choose Love* and mostly UNH for their Youth Mental Health First Aid Program.

So fair enough criticism. That is not necessarily a better use, but it is we're trying to maximize the use of those funds by putting them in programs that we think are effective.

SEN. D'ALLESANDRO: Thank you. If I could continue, Madam Chair?

CHAIRWOMAN UMBERGER: Yes.

SEN. D'ALLESANDRO: Wouldn't it -- wouldn't it have been more appropriate for you to say I have got a half a million dollars and these are the better uses I find for that money, categorically list those so that we know where that money -- money is going. I mean, we're -- we're budget people. We follow the budget. And we ought to know where the money is being spent.

MR. EDELBLUT: I think that's a fair criticism and I agree.

SEN. D'ALLESANDRO: Thank you. Thank you, Madam Chair.

CHAIRWOMAN UMBERGER: You're welcome. Are there any further questions? Representative Edwards.

REP. EDWARDS: Thank you, Madam Chair. Is this money related to the \$1 million that DHHS asked us to move last time where -- where the purpose of that million dollars was to establish clinical and mental health care in some schools?

MR. EDELBLUT: So that would not be that as part of BDAS. So the State Commission on substance misuse, this is part of our system of care grant from the Federal Government through SAMHSA.

REP. EDWARDS: Follow-up.

CHAIRWOMAN UMBERGER: Follow-up.

REP. EDWARDS: Okay. So I -- I think I support this. I just want to make sure that if there's a coordination issue between DHHS and their million dollar spend and your spend that that coordination happens. And I don't even know if it's appropriate. It's just that we're moving big chunks of money in the last two Fiscal Committees towards school-based programs. So I just want to make sure we're in sync.

MR. EDELBLUT: Okay. Thank you.

CHAIRWOMAN UMBERGER: Are there any further questions? Seeing none, will the Clerk -- Whoops! I need a motion.

\*\* SEN. D'ALLESANDRO: Move the item.

CHAIRWOMAN UMBERGER: Thank you, Senator D'Allesandro. Do I have a second? Representative Leishman. Will the Clerk please call the roll.

REP. EMERICK: This is on 22-223. Representative Edwards.

REP. EDWARDS: Yes on 223.

REP. EMERICK: Emerick votes yes. Representative Erf.

REP. ERF: Yes.

REP. EMERICK: Representative Leishman.

REP. LEISHMAN: Yes.

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REP. EMERICK: Senator Daniels.

SEN. DANIELS: Yes.

REP. EMERICK: Senator Morse.

CHUCK MORSE, State Senator, Senate District #22 and Senate President: Yes.

REP. EMERICK: Senator Gray.

SEN. GRAY: Yes.

REP. EMERICK: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. EMERICK: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. EMERICK: Representative Umberger.

CHAIRWOMAN UMBERGER: Yes.

REP. EMERICK: Madam Chair, the vote is 10 to zero.

CHAIRWOMAN UMBERGER: Thank you. The vote being 10 to zero, FIS 22-223 passes.

\*\*\* {MOTION ADOPTED}

(5) **RSA 14:30-a, VI Fiscal Committee Approval Required  
For Acceptance and Expenditure of Funds Over  
\$100,000 from any Non-State Source:**

CHAIRWOMAN UMBERGER: We now turn to FIS under -- whoops! Did we change tabs? No, still four. Under Tab 4, FIS 22-224.

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SEN. DANIELS: I think (Inaudible).

CHAIRWOMAN UMBERGER: Oh, I'm sorry. Tab 5. Excuse me. FIS 22-224, Department of Environmental Services.

ROBERT SCOTT, Commissioner, Department of Environmental Services: Good morning. Good morning, Members of the Committee. I'm Bob -- for the record, I'm Bob Scott, Commissioner, with the Department of Environmental Services, and with me is our Chief Operating Officer Susan Carlson, and I'm pleased to answer any questions regarding this item.

CHAIRWOMAN UMBERGER: Questions from the Committee? Senator Daniels.

SEN. DANIELS: Thank you. Thank you, Commissioner. Uh -- can you define what a natural disaster is? I mean, if I -- if I have a well and suddenly I get a break in my pipe because the ground kind of gives way or whatever, I don't know if that's a natural disaster. Might be to me if I don't have water.

MR. SCOTT: Right. Thank you for the question, Senator. So I have hard copies, but I also sent you all by e-mail kind of the -- we call it one-pagers for the Drinking Water/Groundwater Trust Fund. This information will also be on the website as soon as you approve so the homeowners know that information, too. But the intent of this is not to pay for -- for low-income qualifying well owners, things like that, the maintenance or, gee, I had a lightning strike and my motor needs to be replaced. It's intended to be for irreversible water supply issues caused by a natural disaster.

Now that's where it could be a earthquake. It could be a hurricane that salinates water that wasn't before. But it -- so I guess I'm not -- we haven't defined what a natural disaster is, but it has to be something that was not man-made, not contamination from a release of something, but something that was -- is caused by nature, if you will, but also has to be irreversible in scope.

So I'll give you a couple examples again. So let's say there's an earthquake that drains the aquifer that your well is in. So now you can't -- there is no water for you to get. That would qualify as an example. Or, again, as I just mentioned, say your well is on the seacoast. A major hurricane comes through and now all the water in that aquifer is the salt content is too much to be potable. That would qualify.

By way of background, this is really an off -- build off of the drought program that the Drinking Water/Groundwater Trust Fund has been operating for a while now in similar -- we have similar context. This is an expansion of that because we realize drought is a good example, but that's not the only example we wanted to be prepared to be able to provide assistance to our citizens.

SEN. DANIELS: Thank you.

CHAIRWOMAN UMBERGER: Are there any further questions?  
Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you, Madam Chair. Just -- just two things. What's the income level you've established to -- to identify low-income New Hampshire homeowners served by residential wells? That's number one. And how -- how do you ascertain whether it's irreversible or not?

MR. SCOTT: So thank you for that, Senator. So the last question first, I think. We did -- we did give ourselves some -- some leeway. So to be fair, what we said, it's up to the Department's discretion to determine that. But those are the type of examples I was giving. So we tip -- we -- and the Trust Fund discussed this as they were approving this, the Commission. We don't want it to be something like, gee, my -- my -- my motor needs to be replaced. Those are maintenance issues, not -- not irreversible the water supply is not available to you anymore issues.

As far as the income levels and, again, I'm happy to hand out, too, if you want, but we do have thresholds that are built-in that are very much based on what we are currently still doing for the drought program. So it's based on HUD income guidance, and then MHI, and within that we built tiers for how much assistance will be available to folks, if that helps.

SEN. D'ALLESANDRO: Yeah, thank you.

MR. SCOTT: And, again, obviously, for your constituents, too, this will all be posted on our website --

SEN. D'ALLESANDRO: Right.

MR. SCOTT: -- as a tool. So, hopefully, we don't have any natural disasters; but in the off chance we do, you can also, if somebody asked you not -- obviously, feel free to call me. I hope you know that, but you can point to the website and say here's potential assistance that can -- you can get.

SEN. D'ALLESANDRO: Okay. Thank you, Thank you. Thank you, Madam Chair.

CHAIRWOMAN UMBERGER: Representative Edwards.

REP. EDWARDS: Thank you, Madam Chair. And my questions are sort of similar. But let me -- let me say it this way instead of in the form of a question. I -- whenever I see these kinds of programs where we're taking public monies and sending it directly to reimburse an individual, I get concerned about the transparency and the openness of the process. Because some people are just better informed than others. And -- and so I -- I heard you say you're going to be putting the availability of this on your website. But do you think that's really sufficient to make sure that people who are just generally unaware of public policy that somehow we're reaching out and letting them know that there's a resource here for them as well?

MR. SCOTT: I -- I agree with you. It's probably not sufficient in a vacuum all by itself; but, again, I'll point to our drought program. So we have staff that work that program. We try to target areas when, unfortunately, when we are in severe drought and that's, you know, we just kind of got out of one. It looks like we may be possibly getting back into one for some areas of the state.

So the staff try to do more targeted outreach, also, so that the -- the -- the bene -- the good part of this is it's not really 100% on the homeowner because we're working with the well drillers. So the people providing that actual work for them. And they're aware of it, also.

So -- so we have a little bit of a multiplier in getting out the word. So when somebody -- it doesn't solve everything. But when somebody -- the drought program, again, is my example, is contacting a well driller saying I don't have enough water, what can I do, that type of thing. The driller in this case knows, and equipment suppliers are the same, to be able to offer that program up, because it actually, to be blunt for them, it helps get them a sale, but also helps provide that information to the well owner that this is available to them, even if they didn't know it otherwise.

So -- so we are looking for other outreach. And, again, that's half the reason why I bring it up to you that it will be on our website because I want you, as legislators, to be aware of it, also.

CHAIRWOMAN UMBERGER: Did you have a follow-up?

REP. EDWARDS: I do, and thank you because you anticipated my follow-up about contacting the drillers themselves. So that sounds like a good approach to me. Are you confident that you're hitting 100% of the drillers?

MR. SCOTT: By and large, yes. I never want to say we're 100% for anything; but our understanding in working with them,

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because the well drillers, you know, we regulate that. So they -- whether they want to listen to us or not, they at least have to say they are. So -- so they have at least been made available that information to them. Yes.

CHAIRWOMAN UMBERGER: Senator Morse.

\*\* SEN. PRESIDENT MORSE: I was just going to move the item.

CHAIRWOMAN UMBERGER: Oh, okay. Senator Morse moves the item, and Representative Edwards seconds. Will the Clerk please call the roll.

REP. EMERICK: On 224. Representative Edwards.

REP. EDWARDS: Yes.

REP. EMERICK: Emerick votes yes. Representative Erf.

REP. ERF: Yes.

REP. EMERICK: Representative Leishman.

REP. LEISHMAN: Yes.

REP. EMERICK: Senator Daniels.

SEN. DANIELS: Yes.

REP. EMERICK: Senator Morse.

SEN. PRESIDENT MORSE: Yes.

REP. EMERICK: Senator Gray.

SEN. GRAY: Yes.

REP. EMERICK: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. EMERICK: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. EMERICK: Representative Umberger.

CHAIRWOMAN UMBERGER: Yes.

REP. EMERICK: Madam Chair, the vote is 10 to zero.

CHAIRWOMAN UMBERGER: Thank you. Vote being 10 to zero, the item passes.

\*\*\* {Motion ADOPTED}

**(7) RSA 14:30-a, VI Fiscal Committee Approval Required For Acceptance and Expenditure of Funds Over \$100,000 from any Non-State Source:**

CHAIRWOMAN UMBERGER: We now move to F-I -- or Tab 7, FIS 22-236.

MR. EDELBLUT: Good morning, again. Frank Edelblut, Commissioner of Education.

JENNIFER HARPER, Director, Division of Homeland Security and Emergency Management, Department of Safety: Good morning. Jenn Harper. I'm the Director for Homeland Security and Emergency Management.

CHAIRWOMAN UMBERGER: Are there questions? Representative Edwards.

REP. EDWARDS: Thank you, Madam Chair. I -- I think I know the answer, but I'm compelled to ask because my school asked me to ask. We did a school bond at Auburn Village School three years ago. And we put about \$700,000 into physical security

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upgrades in accordance with the Homeland Defense Audit that we asked for. And so my school would like to participate in getting some of this money to help with the \$700,000 that we spent a couple years ago. Is there any provision for that or is that impossible?

MR. EDELBLUT: So in the Public School Infrastructure Fund Grants that were initially provided in 2018, those did include the ability to do retroactive reimbursement for amounts that had been already spent towards qualified security projects. I'm looking at the thing. So Auburn had received 122,000 towards that at that period of time. In the current grant, we do not anticipate that there will be a retroactive provision for our school projects that have already been done.

The objective in this next tranche of money is to continue to make our environment more secure. So while we appreciate that the communities have already made those security measures and brought those forward, in this grant tranche we are going to continue to provide enhanced and improvements to that security further than what is already in existence.

CHAIRWOMAN UMBERGER: Follow-up.

REP. EDWARDS: So I think you kind of just said what I told them upfront, which is we probably can't ask for retroactive money. But with this funding, if there are some additional security items on their list, they can apply for it still?

MR. EDELBLUT: Absolutely. In fact, that's what we're hoping to see. So we've got our security plans in our schools. Those have been evaluated through Homeland Security. We've identified security risks in this grant process which has not been, you know, finally approved by the Commissioner, but the Homeland Security and Department of Education have been working on. We anticipate being able to rank those security risks and we will fund the highest risk items first.

REP. EDWARDS: Thank you very much.

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CHAIRWOMAN UMBERGER: Are there any further questions?  
Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you, Madam Chair, and thank you, Commissioner. Commissioner, the money's available for both public and non-public schools. Tell me the realm that constitutes the non-public venues?

MR. EDELBLUT: So what we're basically doing is using the Public School Infrastructure processes for this. But we have so far secured two and seeking a third funding source that don't come with those same limitations. And so you've got \$3.3 million that is in the Public School Infrastructure Fund. And this is as a result of funding that was not used out of the first tranche projects that came in under budget. And so that fund, those 3.3 would be limited by statute to only public schools.

The two other funding sources that we're seeking are ARP, ARPA funds, which don't come with that same restriction, as well as EANS funds, so Emergency Assistance to Non-Public Schools, which was the federal grant that was designated for non-public schools. And so to the extent that we receive those, we're going to put those funds into the tranche, and then we expect that we will fund the highest risk projects relative to students in New Hampshire.

SEN. D'ALLESANDRO: Further question.

CHAIRWOMAN UMBERGER: Yes, please go ahead.

SEN. D'ALLESANDRO: And A, has a list been compiled of all of the schools that received money initially and what they did with that money. And, B, who decides what the -- what's the criteria being used to -- to designate risk?

MR. EDELBLUT: Yep. So we do have a list and we can provide that to you if you'd like to see that. I know, for example, Manchester received 1.517 million in the first tranche.

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SEN. D'ALLESANDRO: Yes.

MR. EDELBLUT: And so -- so we can provide that to you. That's no problem.

SEN. D'ALLESANDRO: Thank you.

MR. EDELBLUT: In terms of what is going to be funded in this next round is Homeland Security, and I don't know if you want to speak to this Jenn, but we'll go through kind of a ranking process. So we're going to open up a grant window. You remember in the last grant process we did a rolling grant just to get that money out and to deploy as quickly as possible.

In this tranche we anticipate doing a grant window. We'll allow the grant applications to be received. Those will be scored by Homeland Security in terms of how risky they are. And then we will deploy that money according to the grant source, those three different sources, and what's allowable under those various sources.

SEN. D'ALLESANDRO: Okay. Thank you, Madam Chair.

CHAIRWOMAN UMBERGER: Are there further questions? Seeing none. Could I have a motion to accept?

\*\* SEN. DANIELS: So moved.

CHAIRWOMAN UMBERGER: Thank you, Senator Daniels. Do I have a second?

SEN. GRAY: Second.

CHAIRWOMAN UMBERGER: Senator Gray. Thank you. Will the Clerk please call the roll.

REP. EMERICK: Roll call on 236. Representative Edwards.

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REP. EDWARDS: Yes.

REP. EMERICK: Emerick votes yes. Representative Erf.

REP. ERF: Yes.

REP. EMERICK: Representative Leishman.

REP. LEISHMAN: Yes.

REP. EMERICK: Senator Daniels.

SEN. DANIELS: Yes.

REP. EMERICK: Senator Morse.

SEN. PRESIDENT MORSE: Yes.

REP. EMERICK: Senator Gray.

SEN. GRAY: Yes.

REP. EMERICK: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. EMERICK: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. EMERICK: Representative Umberger.

CHAIRWOMAN UMBERGER: Yes.

REP. EMERICK: Madam Chair, the vote is 10 to zero.

CHAIRWOMAN UMBERGER: Thank you. The vote being 10 to zero,  
FIS 22-236 passes.

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\*\*\* {MOTION ADOPTED}

CHAIRWOMAN UMBERGER: We now turn to, still in Tab 7, to FIS 22-237 from the Governor's Office for Emergency Relief and Recovery.

TAYLOR CASWELL, Executive Director, Governor's Office for Emergency Relief and Recovery: Good morning, everyone. Taylor Caswell, Commissioner of GOFERR.

CHAIRWOMAN UMBERGER: Good morning.

MR. CASWELL: Good morning.

CHAIRWOMAN UMBERGER: Is there a question? Yes, Representative Leishman.

REP. LEISHMAN: Thank you, Madam Chair. Thank you for being here today. So who sets the 60/40 rate as far as the requirement to provide the match?

MR. CASWELL: That is a provision of this program that we instituted in order to be able to maximize the use of the funds.

REP. LEISHMAN: Further question, if I could, Madam Chair?

CHAIRWOMAN UMBERGER: Sure, follow-up.

REP. LEISHMAN: So, as you know, we heard from communities like in getting emergency funds they have to provide like 20% and some have said that's not sufficient, or they don't have the 20%. So in this particular case are you confident that nursing homes can come up with the required match or should it be higher? Like, again, who -- is it the Federal Government setting this 60/40 or is it the State?

MR. CASWELL: It's the State in this particular program. And we've done this in a number of other programs. In fact, the Invest NH Program has a match requirement that's actually 100%

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requirement. This, I think, reflects the fact that for the most part what we're seeking to do with these funds are larger size projects that require a good amount of work to be able to complete, whether capital investments, infrastructure investments, pro -- you know, building renovations and those sorts of things that given the ARPA restrictions in terms of timing really becomes a question as to how far along are the projects that we're going to be able to fund at this point and be able to see them complete prior to the termination of the ARPA deadlines.

So all of those pieces go together when we're looking for ways to make investments that we can stretch the dollars as far as we possibly can for this particular instance, and also be able to recognize that these are typically for projects that have some level of maturity and, effectively, in a pipeline already, for the most part.

REP. LEISHMAN: Thank you. Thank you, Madam Chair.

CHAIRWOMAN UMBERGER: Senator Rosenwald.

SEN. ROSENWALD: Thank you, Madam Chair. A couple of questions. There's been no real specific post-COVID pandemic analysis in long-term care facilities done by the Department of Health and Human Services. There have been a couple of two years in a row some legislative attempts to appropriate money to do that to hire an outside consultant, but that has not passed. Hum -- and since the Department was not involved in developing this program, what are you basing the determination that this will -- these projects will mitigate the next pandemic?

MR. CASWELL: Well, I think a couple of things. First off, I mean, as we all know, the long-term care and nursing home sector saw pretty significant impacts as we went through the pandemic. And a lot of those were outbreaks and spreaders that were occurring within those spaces with staff and with residents and family members. We know -- we're -- we're -- it's fairly well-documented that renovations that will allow for additional

spacing and safety measures to be put into place as a general rule, whether it's COVID or not, flu, other types of viruses that spread through nursing homes, this funding provides us an opportunity to make those investments for COVID type pandemics or future pandemics and really mitigate the risk that comes to those very vulnerable residents.

So, whether it's the spacing with renovations or whether it's making investments that will significantly enhance air circulation in a building through HVAC, these are all things that county nursing homes have difficulty making investments from a capital standpoint, and we're hoping that this program is going to be able to advance those that are in that pipeline significantly and really reduce the risk going forward.

CHAIRWOMAN UMBERGER: Follow-up.

SEN. ROSENWALD: Thank you. Without the participation of the Department and there are subject matter experts, how -- how is GOFERR going to be able to determine what the best ranking of these projects will be to have the most mitigating impact?

MR. CASWELL: Well, I -- I don't think it's fair to say that we've not ever spoken with HHS about this program. But I think the fact is that this is a -- this is a development program, an infrastructure investment program into nursing homes that we know are in need of these types of investments. And these -- this is an opportunity, again, to take funding that's available for this one moment in time, make those investments that are going to last way beyond any of us, and so I, you know, I -- I feel fairly confident that the ability to manage, what, 10 or 11 nursing homes in counties and their infrastructure requirements is within the capability of GOFERR, but also in, you know, we don't do these things in a vacuum. If there are instances where we have to have input from other departments, we do that every single day.

CHAIRWOMAN UMBERGER: Follow-up.

SEN. ROSENWALD: Thank you. Have you had conversations - more follow-up on Representative Leishman's question - have you had conversations with all ten Counties and what kinds of assurances have you gotten that they -- they are willing to front the 60% of the money or will a lot of this 50 million be turned back?

MR. CASWELL: I think I would say that this program is designed to provide a tool to county nursing homes that are in a position to be able to use it. Hum -- we know at least of a couple that have -- have expressed an interest and the county nursing home representatives have expressed support for this program. This is \$50 million of investments that we hope we'll be able to, again, make those types of investments in the long-term for these nursing homes and their vulnerable populations.

SEN. ROSENWALD: One more, if I could?

CHAIRWOMAN UMBERGER: Yes.

SEN. ROSENWALD: Thank you. So the worst devastation in long-term care occurred at the Veterans' Home where 20% of their residents died from COVID in two months. Why -- why are you not including them? Are they not interested? Does Federal Law prohibit us from helping them with capital projects? Why not go where the devastations was the absolute worst?

MR. CASWELL: Well, I mean, I absolutely acknowledge that. I think this program in the scheme of, you know, dozens and dozens of programs that we've pushed through is for specifically county nursing homes. In this instance, there may be a demonstrated interest in moving a project forward for other specific types of institutions, such as the one you referred to; but this is a county nursing home program.

SEN. ROSENWALD: Thank you.

CHAIRWOMAN UMBERGER: Are there further questions?

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Representative Leishman.

REP. LEISHMAN: Thanks, Madam Chair. I'd like to just drill down a little bit more on one of Senator Rosenwald's question. Have you specifically got a list working with the Department of Health and Human Services who works daily with county nursing homes about their needs, or is this \$50 million kind of like what you're putting out there and then those with need will come forward? Do you have like any specifics?

MR. CASWELL: We are basing the program in a recognition that nursing homes and the role that they play and that the experience that they have been through can be mitigated with investments in their infrastructures, whether it's HVAC, new heating systems. In some cases they may want to be looking at efficiency upgrades given what we are seeing in the energy markets right now. But there are also Counties, such as Sullivan County, that is very far along in a very substantial rehabilitation of their entire facility, and this program would provide some assistance in helping them achieve that.

There may be other nursing homes that have projects that are of similar size or probably much smaller in size. But from the standpoint of making an investment to reduce the potential transmission of COVID or, in fact, other viruses within a nursing home, this is an opportunity to make those investments, again, for the long-term.

REP. LEISHMAN: Thanks, Madam Chair.

CHAIRWOMAN UMBERGER: Are there any -- Senator Rosenwald.

SEN. ROSENWALD: Thank you. How will funding energy efficiency upgrades reduce the spread of a virus?

MR. CASWELL: As part of an HVAC upgrade, Senator, typically you will want to make investments. If you're making a significant investment in a -- in a -- in a new capital project that will improve the air circulation and the heating efficiency

and cooling of a building, you're also going to make investments in the efficiency of the envelope of that building in order to maximize the benefit.

SEN. ROSENWALD: Could we ask that we -- that they send us some data that supports energy efficiency projects mitigating against viral transmission?

MR. CASWELL: If I could just continue on that point. I think that it's -- we're talking about making an investment in the HVAC components of a building that from the standpoint of viral transmission will increase the capability to reduce those viral transmissions by circulating the air.

As a result of making those investments for the air circulatory benefits, you are also going to achieve energy efficiency benefits as a result of installing a more efficient HVAC system. That's the connection that I'm making.

SEN. ROSENWALD: I guess we want to be reassured that circulating the air around is not just going to blow virus throughout the facility. That's why I'm hoping you can provide us with that backup data.

MR. CASWELL: Which data specifically?

SEN. ROSENWALD: That shows that these energy efficiency air circulation projects will reduce virus transmission throughout a facility?

MR. CASWELL: By its design, a new HVAC system that will be used, in part, to circulate air is going to increase the efficiency of the building. That's the connection that I'm making.

CHAIRWOMAN UMBERGER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you, Madam Chair. Commissioner, I don't know a lot about heating and air conditioning, but my dad



was in the business all of his life, and my brother was in the business all of his life. HVAC, if you can promote air exchange, and that's the removal of the bad air and bringing in the better air, that might solve the problem. But recirculating existing air would cause you more harm than existed at the moment. Because if you're recirculating existing air, what you're doing is you're taking what's in that air and just redistributing over and over again within the facility.

MR. CASWELL: I agree completely.

SEN. D'ALLESANDRO: So HVAC, look it, if you want to air condition the situation, that's -- that's one thing. That's not going to save you any money. That's going to cost you money. That's a very expensive situation. That's all. So I think --

CHAIRWOMAN UMBERGER: If I might? If I might? I think the questions that are being asked are really design areas when the nursing home figures out what they need to do. I'm not, you know, I would hope that whomever the -- the nursing homes choose to do whatever work needs to be done that they would ensure that it meets the safety standards that are out there for not only HVAC, but also for space and rooms.

And so I -- I understand where you're coming from, but I don't think that the GOFERR Office can come to grips with how the various nursing homes might design their nursing home. And I assume that the Counties would work closely with DHHS because I know there're rules out there and all kinds of things that they have to follow.

So this is, in my opinion, is simply the money to allow the county nursing homes to move forward with required repairs. So that's -- that's my two cents. Senator Gray.

SEN. GRAY: Thank you. Having worked at the Portsmouth Naval Shipyard and worked on air handling systems for submarines that submerge for three months at a time, the new air handling systems, and correct me if I'm wrong, allow you the opportunity

to do other things. Humidification is one of the things that we've done for years. Electric static precipitators and other, you know, items that would help to clean the air and mitigate the rebreathing, you know, of the air.

So -- so, I mean, there along with the air handling stuff that you're doing, the new system that you're putting in, it gives you the opportunity to make those modifications to do those other things that allow for a better quality of air. Comment?

MR. CASWELL: No, sir. Thank you for that though.

CHAIRWOMAN UMBERGER: Are there any further questions? Seeing none. Could I have a motion, please.

**\*\*** SEN. GRAY: Move to approve.

CHAIRWOMAN UMBERGER: Okay. Senator Gray. Second?

REP. EMERICK: I'll second.

CHAIRWOMAN UMBERGER: Okay. Representative Emerick. Please call the roll.

REP. EMERICK: Roll call on 237. Representative Edwards.

REP. EDWARDS: Yes.

REP. EMERICK: Emerick votes yes. Representative Erf.

REP. ERF: Yes.

REP. EMERICK: Representative Leishman.

REP. LEISHMAN: Yes.

REP. EMERICK: Senator Daniels.

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SEN. DANIELS: Yes.

REP. EMERICK: Senator Morse.

SEN. PRESIDENT MORSE: Yeah.

REP. EMERICK: Senator Gray.

SEN. GRAY: Yes.

REP. EMERICK: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. EMERICK: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. EMERICK: Representative Umberger.

CHAIRWOMAN UMBERGER: Yes.

REP. EMERICK: Madam Chair, the vote is 10 to zero.

CHAIRWOMAN UMBERGER: The vote being 10 to zero, FIS 22-237 passes.

**\*\*\* {MOTION ADOPTED}**

CHAIRWOMAN UMBERGER: Thank you very much. We now turn to FIS 230 -- 22-238, Department of Information Technology.

DENIS GOULET, Commissioner, Department of Information Technology: Good morning, Madam Chair, Members of the Committee. Denis Goulet, the Commissioner of the Department of Information Technology

CHAIRWOMAN UMBERGER: Are there questions on FIS 22-238? Representative Edwards.

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REP. EDWARDS: Thank you -- thank you, Madam Chairman. I think this feels like three different questions; but the first one up is \$459,000 for one year license for just an interface sounds like it's a tremendous amount of money. Are we getting some application licensing as well or are we just really licensing the interface component?

MR. GOULET: This -- this is actually licensing for the platform and the application that would serve as -- as many citizens as -- as wanted to be served in the State of New Hampshire. So it's pretty significant. In other words, it's -- it runs -- it's basically for all of VINI.

REP. EDWARDS: All right. Follow-up. Okay. So when I read this, maybe I'm just suffering poor reading. It just sounded like all this was was a licensing for the interface and not for the underlying application. If it's for that as well, then it sounds much better, but.

Okay. So this is 459,000 for one year license. Will this same amount show up in the next budget cycle, two -- two times 459? Is that -- is that where we're going with this?

MR. GOULET: Yes, sir. It's a timing issue now. During the planning of this biennial budget, we hadn't considered that. We were running pretty quickly on Public Health response stuff, and then actually didn't plan into this budget. But the intent is on the DHHS side to plan it in the next biennial budget.

REP. EDWARDS: Follow-up.

CHAIRWOMAN UMBERGER: Yes, please.

REP. EDWARDS: Is this -- is this the application that you all did a privacy impact assessment on? I know that you got -- engaged a contractor to do one PIA and I'm seeing a head shake of a no. So I'm just curious, although this really great bill died this year, I'm hoping that the Department still keeps moving in the direction of doing PIAs on sensitive -- sensitive

applications. And this Vaccine Registry has gotten a lot of people's attention. So if you were to do a PIA on this, would you need supplemental money beyond the 459?

MR. GOULET: So thanks for the question. Just --

CHAIRWOMAN UMBERGER: Commissioner, you can bring --

MR. GOULET: David, come on up.

CHAIRWOMAN UMBERGER: Don't struggle.

DAVID WEIDERS, Information Services Director, Department of Health and Human Services: Thank you. David Weiders, Information Services Director for DHHS.

So in terms of doing Privacy Impact Assessments as we discussed in some of the legislative bills that we were working on, we do not have sufficient resources to do the robust Privacy Impact Assessments that would be required for all of our systems. However, we do have a robust security process to look at all of our systems.

This particular system was developed by Deloitte on our Salesforce organization with our team. So it's really on our environment and we've gone through all the security practices to ensure it's HIPAA compliant and follows all the parameters that you would anticipate from a PIA or a Privacy Impact Assessment were followed, and we can certainly do an overview PIA on this -- this component of the vaccine registration scheduling and administration, which is what this system does.

REP. EDWARDS: Okay. Just 'cause it's my opportunity to say one of my favorite quotes that you -- you -- you can have -- you can have secure -- I can't even get the quote straight now. But anyways, as you know, there's a distinction between security and privacy. And you mention security primarily in your remarks. So do you think it's also covering the privacy aspects your security look?

MR. WEIDERS: Thank you for the question. Certainly, our privacy officer was involved through the development of the application and reviewing -- reviewing it from a privacy perspective, as well as a security perspective. And just for this group's edification, we are looking at privacy by design in the future. So it will be privacy first, security second, but you need both in order to have a good system. You need to understand what you're securing, why you're securing it from a privacy perspective, and then you use security to do it, if that makes sense.

CHAIRWOMAN UMBERGER: Follow-up.

REP. EDWARDS: So I love that -- I love that answer. I really do. I think this one's for Mr. Goulet. I had mentioned a few times in Fiscal Committee meetings and maybe in HHS oversight that we -- we're spending a tremendous amount of money on a lot of different IT projects. And I keep coming back to the idea that I'd really like to see a holistic summary of all of the IT project work that we're doing, because as we just fund each one of these, I'm just concerned whether or not we're -- we're seeing the big picture, the aggregate of it. And I -- I -- this isn't the day to do that, but I just would like to encourage you to if you have something like that already, I'd be happy to come by your office and get familiar with it.

MR. GOULET: Yes. Hum -- in fact, we are doing that right now. We do it each -- each -- in advance of the biennial plan a budget planning process. We do what's called an Agency Information Technology Plan for each agency. We work with the agencies on the business side to do that. And that really talks about from a business perspective what sort of IT projects we're going to be doing or planning during the future biennium. And our expectation is that those plans align with budget requests that would be coming through. And we also take all of those plans and we look at them and use them to guide our overall statewide information technology strategy as well. So -- and I can share all of that with anybody that would like to see it.

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CHAIRWOMAN UMBERGER: Are there -- Senator Daniels.

SEN. DANIELS: Thank you. Commissioner, in response to one of Representative Edwards' questions you mentioned that going forward you would be looking to put this into the budget.

MR. GOULET: Yes, sir.

SEN. DANIELS: And so I refer to the last statement on your information to us. In the event the Federal funds are no longer available, General Funds will not be requested to support the program. So I'm kind of wondering what it is?

MR. GOULET: If -- if we look at the -- that was a tough question to answer because, and I think that's partly an incorrect answer I'd have to say; but when we look at the funding mix, in other words our -- if it's flowing through Class 27, which is the DoIT Budget, then the funding mix for DHHS is largely not General Funds. If it were flowing through a DHHS budget line, and we haven't discussed that specifically, then again, a lot of that it would -- would likely not be General Funds as well. But it is -- it's -- for us it would be a mix.

SEN. DANIELS: Follow-up. So to be clear then, your intent is for this vaccine database to just go on continuously.

MR. GOULET: Public Health would like to have the -- the registration and scheduling capability ready should we need it in the future. When looking around the country, I was -- I was -- I was in place as the President of the National Association of State CIOs during the Pandemic. And the -- the gold standard for states was to have in terms of citizen service and citizen response was to have a central capability that -- that not only could handle the -- a central registration from an efficiency and a service perspective but also could scale to the entire population, and this system does that for New Hampshire.

SEN. DANIELS: Thank you.

CHAIRWOMAN UMBERGER: Senator Rosenwald.

SEN. ROSENWALD: Thank you, Madam Chair. Given that there's a patient portion -- portal -- hum -- at least either in place or imagined, are there any plans to have VINI interface with the commercial pharmacy market in New Hampshire or other states so that if somebody's living in southern New Hampshire they can schedule an appointment with a pharmacy in Massachusetts?

MR. WEIDERS: So my understanding is this would not be used for commercial pharmacy scheduling. Most of the commercial pharmacy organizations have their own scheduling EMR system to do that. And this is really focused on scheduling registration and administration of vaccines or associated with COVID, flu, and other vaccines that Public Health networks would be performing.

CHAIRWOMAN UMBERGER: Are there -- Representative Erf.

REP. ERF: Thank you, Madam Chair. So in the absence of a pandemic, and I believe the last one was quite some time ago, what benefit does this half million dollars a year provide to the citizens of the State of New Hampshire?

MR. WEIDERS: So that's a good question. So we're using Salesforce for many different components and having the licensing allows us to leverage that environment to build other applications.

So in Public Health, for example, we're using Salesforce for Granite Trace, which is our contact tracing, patient monitoring, and case investigation system. And we're targeting other systems like our disease surveillance system to be on the Salesforce platform. So this specific fund pays for the licensing for the individuals in the immunization group, but it can be expanded and you leverage across a larger enterprise



license agreement that we're negotiating with Salesforce to reduce our costs over time leveraging that one platform.

REP. ERF: Follow-up.

CHAIRWOMAN UMBERGER: Follow-up.

REP. ERF: So is it fair to say that this money is really not dedicated to the COVID pandemic but rather to building out a Salesforce system for whomever other uses you might decide to use it for?

MR. WEIDERS: I -- I would say that we need these funds to be able to maintain the COVID-19 solution. If we didn't have the funds for this, we would have to turn that system off and then find else -- Other Funds in excess of \$459,000 to support all the other initiatives.

So this is a component of what we can build off of and so the idea is to not duplicate effort and leverage these funds that are for COVID-19 to not just be wasted in the future, but also be able to be leveraged for other solutions as we go forward. But it is really right now for the COVID-19 pandemic work.

REP. ERF: One more. So I get that. But I also understand pandemics are few and far between, whereas software changes dramatically in years, much less decades, or over the time -- over the turn of the century. So the notion that you're spending a lot of money on Salesforce licenses which will either not be used according to what you were just saying, or by the time you need the -- what you're concerned about in terms of the COVID-19 or a similar type pandemic and some number of years out there, Salesforce will probably be out of business and there's been some other system that's come into place.

So I'm just wondering why you think that this is a good long-term investment. I get the short-term needs that you might use your Salesforce licenses for other purposes, but that's not

what you're asking for here. That's not the funding you're asking for here.

MR. GOULET: So -- so not -- not having a registration system in place was a gap prior to COVID. So it was something that public health had wanted and had in their vision before this. So it's, you know, it's valuable outside of the context of a large scale pandemic. It's important -- it's important for us to have that capability.

CHAIRWOMAN UMBERGER: Are there any further questions?

REP. EDWARDS: (Inaudible).

CHAIRWOMAN UMBERGER: Yes, you may.

REP. EDWARDS: Thank you, Madam Chair. Okay. So during last budget cycle one of the things that we heard that was compelling was that we had a number of IT systems that were no longer being supported. And as a result of their lack of support, we were increasingly subjecting ourselves to some security risks.

So when I see that we are investing in the Salesforce platform, I'm just curious are -- are we -- are we executing the plan that we talked about a year ago, which was getting off of vulnerable legacy systems by migrating some functions to -- I would call Salesforce a state-of-the-art kind of application?

MR. GOULET: Yes. Hum -- that -- you hit the nail on the head there. If we go out now on the modernization effort, if we go out to bid for a new system, for example, or a replacement of an older system, it's highly likely that one -- that respondents will be using one of the two large platforms that are out there today, one of them being Salesforce and the other being Microsoft Dynamics 365.

In the case of, you know, case management, which is what we're kind of talking about here, and also grants management potentially throughout the state, our enterprise solution is

Salesforce. So when we look at the, you know, DHHS has multiple case management systems. The vision there is to, you know, over time to collapse those down and leverage the licenses that we've invested in across the agency and across the other agencies as well. There are other agencies that are very interested in and have -- and are actually running Salesforce for case management.

CHAIRWOMAN UMBERGER: Are there any further questions? Seeing none. Could I have a motion, please?

\*\* REP. EDWARDS: I'd like to move the item.

CHAIRWOMAN UMBERGER: Thank you. Representative Edwards moves FIS 22-238. Do I have a second? Second by Senator Rosenwald. Will the Clerk please call the roll.

REP. EMERICK: Roll call for 238. Representative Edwards.

REP. EDWARDS: Yes.

REP. EMERICK: Emerick votes yes. Representative Erf.

REP. ERF: No.

REP. EMERICK: Representative Leishman.

REP. LEISHMAN: Yes.

REP. EMERICK: Senator Daniels.

SEN. DANIELS: No.

REP. EMERICK: Senator Morse.

SEN. PRESIDENT MORSE: Yes.

REP. EMERICK: Senator Gray.

SEN. GRAY: Yes.

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REP. EMERICK: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. EMERICK: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. EMERICK: Representative Umberger.

CHAIRWOMAN UMBERGER: Yes.

REP. EMERICK: Madam Chair, the vote is 8 to 2.

CHAIRWOMAN UMBERGER: The vote being 8 to 2 on FIS 22-238, the item passes.

\*\*\* {MOTION ADOPTED}

(8) 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 21-I:41, VI, Division of Personnel:

(9) RSA 21-I:42, VI, as amended by SB 226, Laws of 2022, Division of Personnel:

CHAIRWOMAN UMBERGER: We now turn to FIS 22-240, Department of Administrative Services. And if I am not mistaken, we're going to talk about not only FIS 22-240 in Tab 7, but we're also going to talk about 242 in Tab 8, 239 in Tab 9, and 241 in Tab 9. So that because these are all interrelated that we felt that it would be the best thing to kind of get some sort of central thought process on what's going on with employee retention, et cetera.

CHARLIE ARLINGHAUS, Commissioner, Department of Administrative Services: Okay. So I'm Charlie Allinghams. I'm

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the Commissioner of Administrative Services. Hum -- there are two pairs of items, right? There's a policy proposal and then the -- then the money piece, the actual thing.

Senate Bill 226, which passed and was recently signed by the Governor, although we were preparing the documents, we weren't sure, created the possibility for the State to do recruitment programs, retention programs, et cetera. And that law requires Fiscal Committee approval of -- requires the Division of Personnel of Admin Services to adopt a statewide policy on both types of things. And then for any iteration of such a thing, done by any agency, for both of those things to come before Fiscal. They're two separate things.

So the two things that are later in your agenda are the policies, without which these are not legal. So I'm going to assume that if either one of these passes, you'll likely adopt a policy that makes it legal. But the policies themselves are sort of a broad structure. I don't think they require a lot of explanation. It's a lot of formal policy work and Matt Mavrogeorge sitting behind me did a lot of the policy work; but if we have legally questions, I'm going to drag him up in particular.

So there are two different things, and I'm going to talk about them from the smaller price tag one to the bigger price tag one, because they're very different.

So there are a lot of ways that people retain employees or get employees today. And, you know, you see the signs at Dunkin Donuts, you know, signing bonus or free donuts, and we don't do free donuts as a state, but we might do other things. But one of them, the smaller item, which I think is Fiscal 242, is a referral incentive program. Hum -- and the idea behind that is we need employees and we're looking for them and one of the ways you get employees is that people interview and they come in the door.

So this is something where we basically turn the entire workforce into recruiters for the state and that if you -- if you get somebody to come work here, you could -- you're responsible for recruiting them, and it would be done on the application as a formal way to do it to make sure we don't run into he said/she said things, and we do actually hire the person that there is a bonus both for the new employee, assuming you stay for a while, there's a bonus both for the new employee and for the refer -- referrer. Referrer. I think I said that right.

That's the one program, and I think that's the program that probably everybody looks at and says, okay, this isn't a bad idea, because if we don't get anybody we don't spend a dime. And if we -- if we end up spending money, it's because we got employees that worked through the system.

The second thing, and I think it's the one that you're most interested in discussing, is 240, which is a retention incentive similar to some of the programs that were done during the state of emergency. This is something we worked directly with the Governor's Office on. Obviously, you probably figured that out that given that it's a Admin Services proposal and none of the money goes to anybody who works at Admin Services, which I'm not complaining about, by the way, but it's for direct care -- direct care people.

So it's basically, you know, New Hampshire Hospital, Glencliff, Sununu Center, et cetera, et cetera, and the prison, obviously. And the idea is that the staffing pressures, there are a lot of staffing pressures all across state government, but the staffing pressures in direct care positions is quite significant right now. And this is something where you can't just not do a policy or -- or -- or your workload reduced. At the end of the day, the prison has to function, period. I'm using the prison as an example, but this works for all of them. And they have to function. And if ten people leave, you don't sort of curtail your operation and have, you know, have 14 other prisoners work from home because that sort of doesn't work in a prison. And so the idea is to try to retain the staff.

This would end up applying to about -- hum -- I think we have the numbers in on page -- I don't have page numbers here. Oh, Page 6. So I think it's -- boy, I used to be able to see. Thirteen hundred full-time, 280 part-time people. Those positions aren't all filled. Obviously, nobody would get a bonus if the position weren't filled; but we're actively recruiting lots of them. So, you know, about 15 percent of the State workforce if you want to think of it that way. But the idea is to take people who already work here and try to keep them from leaving. Because one of your best recruiting tools is to retain an employee and not have to fill it over.

So that's -- that's the idea behind this. And it's -- it's the kind of procedure that was done during the -- hum -- during the state of emergency. And I think that -- hum -- I don't want to speak for the Governor's Office; but, you know, we worked hand in glove with them to -- to develop the program and they have a very strong interest in -- in -- as do people in these departments, obviously, in trying to -- trying to keep employees and reduce staffing shortages.

I think the price tag is all laid out and everything else is about 4.2 million. Some for full-time, some for part-time, if that helps, if that's a question people might wonder about, right? The idea is to make part-time positions eligible in both of these cases for things as well. A lot of work in State Government is done by people who work part-time. Any big questions or little questions?

CHAIRWOMAN UMBERGER: Representative Edwards.

REP. EDWARDS: Thank you, Madam Chair. About five years ago -- hum -- I went and visited, I think, Mr. Goulet after trying to use the State's employment website to search for jobs of different categories, just to see how the look and feel works for a typical potential employee. Five years ago we were using, I think, a free application that was just horrible. It wasn't worth the money we were paying for it.

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I'd like to know in the five years has the Department been able to get a professional job recruitment website up to where people can effectively search for vacancies and -- and qualifications and the like? Like if they're a veteran, can they find out which jobs are open, you know, preferences to veterans, for example? Do we have a good website or is it still a five-year old stinker?

MR. ARLINGHAUS: I -- uh -- it's not still a five-year old stinker. But the question do we have a good website or is it a five-year old stinker presumes two options and there are lots of options in the middle of that range. I think we have a good website. What we're using now is the Talent Management module. Talent Management is what those kind of people all use to talk about hiring. The Talent Management module of the Infor system, which is the State's ERP System that governs our finances, payroll, et cetera, and the idea is to integrate the two.

We have since about October 2017 made significant changes to that website and -- and basically we had a meeting where the Governor decided to do what you did, too, and he tried to apply for a job, and I think we rejected him. And he was unqualified for -- hum -- a cleaner position he applied for, and he had trouble applying.

One of the things was the -- the different browsers you can use to access it, and we've changed that. I would say every few months we have a team that regularly looks at this, the -- the HRP section of FMD, which is one of our divisions that manages the Enterprise system. And so we make changes all the time. I would say that where we are today is that it's better, and it's getting better, and it gets better every day.

But when we talk about recruitment, I -- I ask -- I told you this before that I interview everybody we hire lately. And so, you know, think of it as maybe -- maybe over the last nine months about 100 people that have sort of passed through. And one of the questions I ask almost all of them and sort of



depends how the interview's going is how did you find applying for a job? How did you find interacting with the state? And I would say that there's still a range on that. And I -- what I'm pleased about is that there are a number of people -- it's a particularly important thing externally, right? And, you know, in the state system, you know, maybe 30% of the people come external and 70% are moving from one state job to another.

But people who -- who are familiar with applying for jobs in the market today are more optimistic about our system. Because with so many larger companies, in particular, there are systems. You sign up. You register. You create an account and all of that kind of stuff. And that's the -- that's the pain of the process. Most of the jobs I've applied for in my entire life have been resume and cover letters and sent through the U.S. Postal Service to somebody. And so, you know, I would -- so I find the system horrifying and -- and freakish. And, well, don't -- don't say that when Alex is here. But the -- but if you're used to this -- if you're used to applying for jobs electronically, you're much, much more used to it now.

And so what I would say is we're getting better, and I would hope that we're at about a B minus at this point, and which is unacceptable because I think we lose applicants because of it; but we get better all the time.

CHAIRWOMAN UMBERGER: Are there any further questions?  
Senator Daniels.

SEN. DANIELS: Thank you. If I was an employee and you were trying to retain me and you give me a \$2,000 retention bonus, I guess, it looks like the requirement is that I stay for 90 to 180 days; is that correct?

MR. ARLINGHAUS: There's a -- yeah, there's a time frame. I don't know what the exact difference between the two dates is but July 1<sup>st</sup> to November 3<sup>rd</sup>. So you have -- you have to be here on July 1<sup>st</sup> and you have to stay through November 3<sup>rd</sup>.

SEN. DANIELS: Okay.

MR. ARLINGHAUS: So yeah, that's -- yeah, that's probably like 125 days.

SEN. DANIELS: One of the other items, I mean, one of them mentions new hires and --

MR. ARLINGHAUS: Oh, that's on the referral. Yes, that one. Sorry.

SEN. DANIELS: And then there was one for retention which mentioned 180 -- 90 to 180 days. I guess my question is when that time is over, is the expectation that this retention bonus is going to continue, or are we just paying somebody?

MR. ARLINGHAUS: It's a one-time payment.

SEN. DANIELS: Okay.

MR. ARLINGHAUS: So think of on a referral, think of it this way. You know, I've got an open position. I'm interviewing right now for a CFO, if you're interested. And -- hum -- you come in, you apply for the job, and it turns out that -- that -- oh, let's just say Matt. Matt recommended you on your job application. You say recommended by Matt Mavrogeorge.

If we hire you, the clock starts ticking, and I like nudge Matt and say, let's see if he stays. And then if you stay, you stay through the time you're supposed to stay, then you both get a check. You don't get another check in six months. You don't get another check six months after that. It's now and we are going to see if that works.

On some basic level this is an experiment to see if that really does, in fact, make a difference. By the way, I suspect it does or, you know, McDonald's and Dunkin Donuts and, you know, Lincoln Financial and everybody else wouldn't do it, too.

SEN. DANIELS: Yes. And that's not my question. My question is specifically about the retention part, not -- not the referral.

MR. ARLINGHAUS: Oh, retention same way. We are asking you to stay and then it's a one-time payment.

SEN. DANIELS: Yes. And so basically we are paying somebody \$2,000 to stay 90 days or 180 days.

MR. ARLINGHAUS: Yeah, I think it's 125. Yes. The -- I think -- I think if you think about it sort of philosophically the idea is to -- to, you know, there's obviously -- obviously not a long life to this. You -- you can't do that where you every quarter for the rest of their career you give somebody -- you give somebody two grand if they make it another quarter and another quarter because, if nothing else, that just becomes part of base pay.

But it's basically right now we're in a time period where -- where there's a lot of churn, and we have a lot of issues in hiring people and -- and -- and that's particularly true, you know, I don't want to speak for HHS and Corrections, but it's particularly true in some of those areas. We talk a lot about nurses, but it's not just nurses. It's direct people that do direct care and sort of work in care or behind the wall or whatever have you. And that's where there's a lot of pressure. And the idea is to in a -- in a -- in a time period of high vacancies is try to keep that from exploding and to try to keep a lid on it. There are a lot of things that aren't ideal right now and this is one of them.

SEN. DANIELS: Yeah, and I guess I understand that. I guess I'm just questioning because it doesn't seem 90 to 100 or you say 125 days is an extraordinary amount of time for the money that you -- that you're putting out. I mean, basically equates to like \$6,000 a year if it were continuous. But for some -- for someone that was looking to leave, you know, to stay for 90 days, I'm not sure really what it's giving us.

MR. ARLINGHAUS: No. So it's a good question. One of the things when you're constructing a program like this and you think of the, you know, I said we worked with the Governor's Office on this and, frankly, you know, where the Governor's Office started is we want to do something. We want to -- we want to -- and in this realm. And they look for recommendations on time periods. It's an argument to be made for 30 days. That, I think, is too short. But there's an argument to be made for a year. I'm not going to give you any money unless you -- unless you stay for another year. And -- hum -- and probably, you know, every number in-between. I think the -- the -- the finalists for the time period that we considered are probably three months and six months. And -- hum -- it's -- it's -- it's one of those things, you know. If I'm honest where, you know, there's no science around this and so we're -- we're making a judgment call.

SEN. DANIELS: Thank you.

CHAIRWOMAN UMBERGER: Are there any further questions? Seeing none. Could I please --

REP. LEISHMAN: I just have a quick question, Madam Chair. I'm sorry.

CHAIRWOMAN UMBERGER: That's quite all right. Go ahead.

REP. LEISHMAN: Thanks, Madam Chair. Thanks, Charlie, for appearing in your comic relief at times.

MR. ARLINGHAUS: Oh, thank you.

REP. LEISHMAN: That's appreciated. So, as I understand, you're all -- in all four items I believe you said that we have a vacancy rate that is approaching 20%. People are leaving at a roughly 12%. What are we doing for incentives to keeping people here? I understand that ARPA funds are going to be used for people that take care of prisoners and the Department of Health

and Human Services areas, but what about DOT and DES? Are there any funds available for retention of those Departments, for instance, or even your Department?

MR. ARLINGHAUS: No. So it's -- it's one of those things. There's sort of an obvious comment to make when you're retaining direct care people which is, you know, something along the lines of so accountants don't matter? And -- hum -- I say that because I have a lot of accountants. But -- and it's not true. And the thing is that, you know, you can make a case for doing this with basically every profession in the state, every worker or group in the state. And, you know, I would love to do it for building service workers. I've talked to you in the past about -- about that issue.

We're doing a lot of things to try to recruit and retain people and there's a, you know, we gave the LBA a chart, and I know you're going to want to talk later about vacancy rates and all of that and what the recruitment unit is doing. We can talk about that.

But one of the things is that in a -- in a climate where we are -- where we are today, there are -- there are some things you can do and some things you can't do. Hum -- I think that bonuses of this nature are meant to be by their nature, I guess, extraordinary, right, and not -- not structured in such a way that they would become commonplace.

So what you're -- what you're left to doing, if you want to retain good people that you have, is you try your damndest to do it. And if you are, you know, there's an incentive -- part of the incentive is I think every manager wants to be a good manager, in part, 'cause they, I would hope, are nice people. But part of it is it's really difficult when somebody valuable to you leaves and, frankly, when you have 80% of your position filled everybody's pretty valuable. When somebody leaves there's an enormous time crunch and difficulty with them leaving. And so a lot of what you do is you try to make sure you run around and

you're nice to people. You try to emphasize the things the State does well.

You know, the State -- you know, State wage scale is a little bit lower. State benefits are really good, and the time off is really good, and you make sure you work with people and that they can utilize the time off and, you know, which is -- which can be a burden. If somebody took all the, you know, 10 or 15-year employee took every -- every annual day, every floating holiday, and used up all their sick leave, you know, that's -- it's like 20 to 25% of the year they could -- they could miss, and you have to work with that. And so -- and so that's a lot of it.

You know, frankly, the things that -- that anybody can do at any company or any -- any unit to try to keep employees are human more than financial. I mean, don't get me wrong, you know, financial. Hi -- hum -- you're offering me 70. The other job's offering me 95. Guess which one I'm taking? That's an issue. But if you can get into the conversation, then a lot of it is -- is they need to -- they need to think that they're -- that's a good place to work and it needs to be a good place to work.

REP. LEISHMAN: Thank you. Thank you, Madam Chair.

CHAIRWOMAN UMBERGER: Are there any further questions? Seeing none. I would like a motion on FIS 22-240. This is on the 4 million for employee bonus.

\*\* SEN. D'ALLESANDRO: I would move the item.

CHAIRWOMAN UMBERGER: Thank you, Senator D'Allesandro. Second by Senator Rosenwald. Will the Clerk please call the roll.

REP. EMERICK: Roll call on 240. Representative Edwards.

REP. EDWARDS: Yes.

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REP. EMERICK: Emerick votes yes. Representative Erf.

REP. ERF: Yes.

REP. EMERICK: Representative Leishman.

REP. LEISHMAN: Yes.

REP. EMERICK: Senator Daniels.

SEN. DANIELS: Yes.

REP. EMERICK: Senator Morse.

SEN. PRESIDENT MORSE: Yes.

REP. EMERICK: Senator Gray.

SEN. GRAY: Yes.

REP. EMERICK: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. EMERICK: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. EMERICK: Representative Umberger.

CHAIRWOMAN UMBERGER: Yes.

REP. EMERICK: Madam Chair, the vote is 10 to zero.

CHAIRWOMAN UMBERGER: The vote on FIS 22-240 is 10 to zero.  
It passes.

**\*\*\* {MOTION ADOPTED}**

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CHAIRWOMAN UMBERGER: Now what I'd like to do is -- hum -- take 242, 239, and 241 as one motion. So --

\*\* REP. LEISHMAN: Move the items.

CHAIRWOMAN UMBERGER: Okay. Thank you.

SEN. D'ALLESANDRO: I would second it.

CHAIRWOMAN UMBERGER: All right Thank you. Representative Leishman and Senator D'Allesandro. Since these are all tied together, I'd appreciate it. So thank you. Representative, will you call the roll, please.

REP. EMERICK: Roll call for 232, 242, 239 and 241. Representative Edwards.

REP. EDWARDS: Yes.

REP. EMERICK: Emerick votes yes. Representative Erf.

REP. ERF: Yes.

REP. EMERICK: Representative Leishman.

REP. LEISHMAN: Yes.

REP. EMERICK: Representative Daniels. Senator Daniels.

SEN. DANIELS: Yes.

REP. EMERICK: Senator Morse.

SEN. PRESIDENT MORSE: Yes.

REP. EMERICK: Senator Gray.

SEN. GRAY: Yes.

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REP. EMERICK: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. EMERICK: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. EMERICK: Representative Umberger.

CHAIRWOMAN UMBERGER: Yes.

REP. EMERICK: Madam Chair, the vote is 10 to zero on all three.

CHAIRWOMAN UMBERGER: Okay. The vote being 10 to zero, FIS 22-239, 241 and two -- whoops -- and 242 all pass. Thank you.

**\*\*\* {MOTION ADOPTED}**

CHAIRWOMAN UMBERGER: We'll now turn to Tab 10, FIS 22-233, request from the Judicial Branch. Tab 10.

**(10) Chapter 91:17, Laws of 2021, Judicial Branch, Transfer Among Accounts and Classes:**

CHAIRWOMAN UMBERGER: Whoops! I don't think you're on. Thank you.

DIANNE MARTIN, Director, Administrative Office of the Courts: Dianne Martin, Director of the Administrative Office of the Courts, here with Donna Raymond, our Fiscal Manager.

CHAIRWOMAN UMBERGER: Thank you. Are there any questions for the Judicial Branch on this particular request?

**\*\*** SEN. D'ALLESANDRO: I would move the item.

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CHAIRWOMAN UMBERGER: Thank you. Senator D'Allesandro moves. Do I have a second?

SEN. ROSENWALD: Second.

CHAIRWOMAN UMBERGER: Second by Senator Rosenwald. Will the Clerk please call the roll.

REP. EMERICK: Roll call on 233. Representative Edwards.

REP. EDWARDS: Yes.

REP. EMERICK: Emerick votes yes. Representative Erf.

REP. ERF: Yes.

REP. EMERICK: Representative Leishman.

REP. LEISHMAN: Yes.

REP. EMERICK: Senator Daniels.

SEN. DANIELS: Yes.

REP. EMERICK: Senator Morse.

SEN. PRESIDENT MORSE: Yes.

REP. EMERICK: Senator Gray.

SEN. GRAY: Yes.

REP. EMERICK: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. EMERICK: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

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REP. EMERICK: Representative Umberger.

CHAIRWOMAN UMBERGER: Yes.

REP. EMERICK: Madam Chair, the vote is 10 to zero.

CHAIRWOMAN UMBERGER: Thank you very much.

MS. MARTIN: Thank you very much.

CHAIRWOMAN UMBERGER: You got away easy today. Don't expect that every time. Okay. All right. No, thank you very much.

\*\*\*       **{MOTION ADOPTED}**

CHAIRWOMAN UMBERGER: Okay. We now move to Tab 11, which is FIS 22-228, from the Department of Corrections. That's Tab 11.

**(11) Chapter 91:70, Laws of 2021, Department of Corrections; Transfer Authority:**

HELEN HANKS, Commissioner, Department of Corrections: Good morning, Madam Chair, and Honorable Members of the Committee. For the record, Helen Hanks, Commissioner of the Department of Corrections. And to my right is our Director of Administrative Services, Jonathan Hanson.

CHAIRWOMAN UMBERGER: Thank you. Are there -- are there any questions? Senator Rosenwald.

SEN. ROSENWALD: Thank you, Madam Chair. Not a question, but I didn't want to take your earlier item off Consent, but I'd like to congratulate the Department on its fantastic use of the 340B Program to save really a million dollars in six months on two kinds of drugs is fantastic. And I hope the County Houses of Correction are looking at that fantastic program, too, and maybe someday they can coordinate with you to purchase those drugs for

Hep C and HIV, and also save that kind of money. It's fantastic.

MS. HANKS: Thank you, Senator Rosenwald. I would be remiss if I didn't thank Commissioner Shibonette and her team at HHS to helping us get to this final place. And, with that, I'll also reaffirm we were just recertified so we'll continue down that road. And if there's an opportunity to collaborate, then we'll certainly do that.

SEN. ROSENWALD: Yippee!

CHAIRWOMAN UMBERGER: Representative Leishman.

REP. LEISHMAN: Thanks, Madam Chair. And I guess I'd just like to echo what Senator Rosenwald said and Chairman -- Chairwoman mentioned earlier the detail and responses we've been getting have been much better, and I just want to echo that as well. Your recruiting and retention efforts in the attachment was very good. So thank you.

MS. HANKS: Thank you, sir.

CHAIRWOMAN UMBERGER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you very much, Madam Chair. I think the -- the information that you presented to us is really outstanding. And I can recall when we had these discussions about pharmaceuticals a number of years ago and it's nice to see something very positive happen as a result of those discussions. And -- and in the course of our discussions you said we could save money. There was a methodology in place to do it, and we could do it. Hopefully, that same situation will occur in the recruitment and retention part so that we'll retain corrections officers and be able to recruit so that our overtime will be -- be lower and we'll be able to fill those spots. So kudos to the Department and thank you so much for paying attention to detail. Thank you.

MS. HANKS: Thank you, sir.

CHAIRWOMAN UMBERGER: Are there further questions?

\*\* SEN. DANIELS: Madam Chair, move the item.

CHAIRWOMAN UMBERGER: Okay. Is that all right? Go ahead.

REP. EDWARDS: Thank you. I was reading, and I think it was the *Union Leader* this past week or so, and the main subject was the Sununu Youth Center. But in it there was also an allegation that we are picking up on sexual and physical abuse in, I think, the Corrections Department. And so I wanted to ask you what -- what we're doing proactively to -- to try to do what we can to make sure that if there is abuse that it's stopped and I -- and whether or not you think we do have a situation where we've got some problems.

MS. HANKS: Thank you for that question, Representative Edwards. And I'm very proud of our organization. We have been certified under the Prison Rape Elimination Act for a number of years and actually we just finished a cycle audit at our women's facility in Shea Farm, and we passed those audits year after year. That information is available on our Internet page.

We do an excellent job surveilling, educating, and moving forward that your sentence does not equal sexual assault, and creating pathways for that communication. And we have dedicated what are called PREA investigators that investigate allegations of both resident on resident, resident to staff, and numerous variables under the Federal PREA law.

In addition to that, and thankfully so, Governor and Council also just passed a contract to allow us to further create both educational videos of residents who've been incarcerated and staff education materials that will continue to elevate both our surveillance, education, and response to allegations of sexual assault during incarceration.

REP. EDWARDS: Yeah. So thank you for everything you're doing in that area. I think the allegation was made in a self-serving way, but I just wanted to get you on the record this way to say what we're doing and whether or not you regard us having a problem in this area. Thank you for your answer.

MS. HANKS: You're very welcome.

CHAIRWOMAN UMBERGER: I have a motion from Senator Daniels --

REP. EDWARDS: Second.

CHAIRWOMAN UMBERGER: -- to accept FIS 22-228, seconded by Representative Edwards. Will the Clerk please call the roll.

REP. EMERICK: Roll call on 228. Representative Edwards.

REP. EDWARDS: Yes.

REP. EMERICK: Emerick votes yes. Representative Erf.

REP. ERF: Yes.

REP. EMERICK: Representative Leishman.

REP. LEISHMAN: Yes.

REP. EMERICK: Senator Daniels.

SEN. DANIELS: Yes.

REP. EMERICK: Senator Morse.

SEN. PRESIDENT MORSE: Yes.

REP. EMERICK: Senator Gray.

SEN. GRAY: Yes.

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REP. EMERICK: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. EMERICK: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. EMERICK: Representative Umberger.

CHAIRWOMAN UMBERGER: Yes.

REP. EMERICK: Madam Chair, the vote is 10 to zero.

CHAIRWOMAN UMBERGER: Vote being 10 to zero, FIS 22-228 passes.

**\*\*\* {MOTION ADOPTED}**

**(12) Miscellaneous:**

CHAIRWOMAN UMBERGER: We now turn to the late item, FIS 22-243, and that is located in Tab 11. Twelve?

REP. EMERICK: I've got 12.

CHAIRWOMAN UMBERGER: Okay. Mine's in 11.

REP. EMERICK: Okay.

CHAIRWOMAN UMBERGER: I -- whatever. It's someplace back there. And this is a request from the Governor's Office of Emergency Relief and Recovery.

MR. CASWELL: Hello again. Taylor Caswell. Hum -- this is -- uh -- an item that came to us in-between the deadlines. This is funding that is the second half of funding that already has gone to virtually every community in the state as part of

their fiscal recovery funds, local fiscal recovery funds. The State received a second tranche of this funding a couple of -- well, just about a week ago, and we really didn't want to delay in moving those funds forward.

All of the communities that received this fund have already indicated their willingness and they've -- were -- had all the appropriate paperwork taken care of to move that. It's just a simple matter of getting those funds transferred to those communities as soon as we can.

The total amount of the request here is \$56 million, give or take a little bit. It mirrors the exact amount that we distributed just about a year ago for the same purpose.

CHAIRWOMAN UMBERGER: Are there any questions? Seeing none, will the Clerk call the roll.

**\*\*** SEN. DANIELS: Move the item.

CHAIRWOMAN UMBERGER: Oh, I'm sorry. Thank you, Senator Rosenwald and Senator Daniels. I'm just getting a little anxious here. I'm sorry. Okay. Will the Clerk please call the roll.

REP. EMERICK: Roll call on 2022. Representative Edwards.

REP. EDWARDS: Yes.

REP. EMERICK: Emerick votes yes. No? Oh, I'm sorry. My mistake. 243.

CHAIRWOMAN UMBERGER: Thank you.

REP. EMERICK: Representative Edwards.

REP. EDWARDS: Yes on that one, too.

REP. EMERICK: Okay. Emerick votes yes. Representative Erf.

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REP. ERF: Yes.

REP. EMERICK: Representative Leishman.

REP. LEISHMAN: Yes.

REP. EMERICK: Senator Daniels.

SEN. DANIELS: Yes.

REP. EMERICK: Senator Morse.

SEN. PRESIDENT MORSE: Yes.

REP. EMERICK: Senator Gray.

SEN. GRAY: Yes.

REP. EMERICK: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. EMERICK: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. EMERICK: Representative Umberger.

CHAIRWOMAN UMBERGER: Yes.

REP. EMERICK: Madam Chair, the vote is ten to nothing.

CHAIRWOMAN UMBERGER: The vote being ten to nothing, FIS  
22-243 passes.

**\*\*\* {MOTION ADOPTED}**

**(13) Informational Materials:**

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CHAIRWOMAN UMBERGER: Okay. We have several information items. I understand that Health and Human Services withdrew information item 22-227. Otherwise, are there any questions on any of these informational items? Okay. Seeing none. We'll move to the audit information items.

**(14) Audit Informational Materials:**

CHAIRWOMAN UMBERGER: Representative Leishman, I understood you had some questions on -- for Corrections; is that correct?

REP. LEISHMAN: Liquor.

CHAIRWOMAN UMBERGER: Oh, Liquor. I'm sorry. Yeah, FIS 22-217.

ROSE WIAN, Director of Administration, Chief Operating Officer, New Hampshire Liquor Commission: Good morning. Rose Wiant, Director of Administration and Chief Operating Officer. We do have more of a crew out in the hallway. They're making their way in.

CHAIRWOMAN UMBERGER: Okay. Thank you. I know these meetings get to be a little boring, but for you -- for those that aren't in the -- in the hot seat. So not a problem. Welcome back, everyone.

MS. WIAN: Thank you. I'll just start and see if I can answer questions.

CHAIRWOMAN UMBERGER: Okay. Go ahead. Representative Leishman.

REP. LEISHMAN: Yes. Thank you, and thanks for being here.

MS. WIAN: Good morning.

REP. LEISHMAN: So on a number of items it talks about a management plan being completed; but then it goes on to say

written plan nearing completion. I was just kind of curious what that all meant.

MS. WIAANT: Of course. Just to -- to keep for continuity throughout this process as we've been updating this Corrective Action Plan. We haven't deleted anything. So that's just showing the progress along the way. The part in bold is the current information. It's just that was just along the way as it was being developed. Those comments are still there in the notes.

REP. LEISHMAN: And then just one further. Quick question.

CHAIRWOMAN UMBERGER: Hm-hum.

REP. LEISHMAN: There was a section, I don't seem to have it right in front of me, but you're going to rules for some changes and it says you're either going or there. Where's -- what's the status of your rules presentation?

MS. WIAANT: We have several rules in development or currently in the JLCAR process. The licensing rules, which I know show up in here, they're several rules that show up in here several places. The licensing rules have all been updated and completed. Those are in place. That's Chapter 700.

We're currently in the -- over at JLCAR for a section of rules, Chapter 500, which is -- oh, those relate to particular licenses. Currently, in the drafting process are the rules pertaining to the enforcement policy, which would be like sanctions and fines and so forth, as well as the -- hum -- the hearings and procedural process.

REP. LEISHMAN: And just one quick further follow-up, Madam Chair.

CHAIRWOMAN UMBERGER: Certainly.

REP. LEISHMAN: Thank you. So during the review of legislation last year we learned that reports that everyone thought were going to Fiscal or Finance were going to Mr. Hunt over in Commerce. Is that all straightened out now? Are those being forwarded to the Chair of the Finance Committee, do you know?

DANIELLE ELLSTON, Deputy Director of Enforcement, Division of Enforcement, New Hampshire Liquor Commission: Good morning. Deputy Chief Danielle Ellston with New Hampshire Liquor Enforcement. We are still sending them to Commerce. We can send them direct to the Chair of Fiscal, if we need to. We continue to send them to Commerce. The direction for the report came out of Commerce, but if we can continue -- we can send them to the Chair of Fiscal if that's what we choose.

REP. LEISHMAN: Yeah. I think that was the agreement. I was at the Commerce Committee when it came up, and I think Mr. Hunt said he thought they would -- should go to Finance or the Fiscal Chair but.

MS. ELLSTON: Okay.

REP. LEISHMAN: Thank you.

MS. ELLSTON: We can send them.

REP. LEISHMAN: Thanks. Thanks, Madam Chair. That's all.

CHAIRWOMAN UMBERGER: Hm-hum. Are there any further questions on this audit? Seeing none. Hum -- are there any questions on the audit on Sununu Youth Center since HHS left? I hope not.

**(15) Date of Next Meeting and Adjournment**

CHAIRWOMAN UMBERGER: Okay. Hum -- next meeting. Our next meeting is scheduled for July 22<sup>nd</sup>.

REP. EDWARDS: I was just curious. We just had somebody come up to talk about an informational item. Are you going to have Mr. Ribson talk about his quarterly report or not? I can get with him offline --

CHAIRWOMAN UMBERGER: No, I just asked if anyone had any questions on FIS 22-218, and nobody said they did.

REP. EDWARDS: Oh, I'm sorry. Yes, I did have a question or two.

CHAIRWOMAN UMBERGER: All right. Then thank you, Mr. Ribson.

REP. EMERICK: Almost out the door.

CHAIRWOMAN UMBERGER: Yeah, boy, you -- you almost escaped.

REP. EDWARDS: I'm sorry. The number didn't shake me. But I -- okay. So -- so Mr. Ribson, I -- I'm looking at unresolved item number one and when I go read what it says, it says this is the Legislature's issue to solve. I'm just curious since it sounds like there are several statutes involved, are you working with a legislator for legislation for the coming term next term? And, if so, who?

MR. RIBSON: At this point, I'm unaware of any legislative interest in addressing item number one.

REP. EDWARDS: I think we're obligated to be interested, right? I mean, you know, you -- okay. So -- so we'll talk about that offline. But I -- I've been getting involved in the Sununu Center a lot in the last couple years. So I -- I could help you with that, I think.

Then on item six, Observation 6, it says to go ahead and institute comprehensive performance measures after the strategic plan is done. It looks like your strategic plan is now done. Or do you have any road blocks to keep you from fully resolving Observation 6?

MR. RIBSAM: Yeah. What we've -- what we've said in both the strategic plan these things were all done anticipating that we would be moving forward the legislation that was being considered this -- this past session in terms of moving into the new facility, changing the -- the clinical program, everything aligned with that. So we're in a little bit of a limbo right now as to how to actually operationalize and whether to operationalize those things because we're not quite sure what the future holds. We are currently in a moment where State Law would have the facility close in March of 2023 with absolutely no alternative in place.

REP. EDWARDS: All right. So I'm just playing checkmarks with you now. You've got a checkmark and substantially resolved. As I listen to what you're saying, sounds to me like you're partially resolved at the best.

MR. RIBSAM: Yeah. Well, we had the plan laid out in place. Was all incorporated within the A&M plan and incorporated in our strategic priorities, but to move forward we need to kind of understand what the future holds.

REP. EDWARDS: Thank you for your indulgence, Madam Chair.

CHAIRWOMAN UMBERGER: Oh, no problem. Thank you. Okay. Uh -- I'll now try again. Oh, yes.

SEN. D'ALLESANDRO: Madam Chair, just a quickie. In the report that we got from HHS it -- just the -- the -- the numbers are so tiny that I can't read them and I've talked about that over, and over, and over again. They've got to do something. If they're going to give us information, make the information readable so that we can get something out of it.

I realize it's not your responsibility, but I've been looking at these things for a number of years, and they've gotten smaller as the years have gone by. My eyesight has not improved substantially. So we've got to make a change there.

CHAIRWOMAN UMBERGER: Yes.

SEN. D'ALLESANDRO: We've got to have that.

CHAIRWOMAN UMBERGER: I believe that Senator Rosenwald has agreed to, she and I, working on an overhaul of this report --

SEN. D'ALLESANDRO: Oh, great.

CHAIRWOMAN UMBERGER: -- over the summer.

SEN. ROSENWALD: Sherlock Holmes magnify --

CHAIRWOMAN UMBERGER: Yeah, we need more -- well, we will not have any -- yeah, we will not have any Sherlock Holmes magnifying glasses. That's necessary.

SEN. D'ALLESANDRO: That would be wonderful.

CHAIRWOMAN UMBERGER: We all recognize that we want the report to be useful.

SEN. D'ALLESANDRO: Yes, exactly.

CHAIRWOMAN UMBERGER: And meet the needs of the -- the Fiscal Committee and so we'll come up with something.

SEN. D'ALLESANDRO: Right. And my second point is with the recruitment and retention, we were going to get a report either periodically or meaning every other meeting, but as to what's happened, how successful it's been, what's happened to the number of vacancies, how many have been filled, and how that -- how that's going just to keep us all abreast of how things are moving. And I'm particularly interested in that. I sponsored the bill. Happy that it obviously passed; but, indeed, we should be kept up-to-date as to what's going on.

CHAIRWOMAN UMBERGER: So, Mr. Arlinghaus, you'll provide that for July?

MICHAEL KANE, Legislative Budget Assistant, Office of Legislative Budget Assistant: We do -- uh -- just to cut in, Madam Chair. We did send an e-mail from Charlie with kind of an update. I think some of the numbers may have changed relative to -- okay.

MR. ARLINGHAUS: (Inaudible).

CHAIRWOMAN UMBERGER: Oh, okay. Go ahead. Thank you, Mr. Ribson. I'm sorry. I must have missed the e-mail.

MR. KANE: (Inaudible).

CHAIRWOMAN UMBERGER: Oh, oh. You mean -- you mean while I was driving down you wanted me to, yeah, look at my e-mail? Yeah.

MR. KANE: (Inaudible).

SEN. D'ALLESANDRO: Good. Great, great. Perfect. Perfect.

CHAIRWOMAN UMBERGER: Yeah, thank you.

MR. ARLINGHAUS: You want to talk about this (Inaudible).

CHAIRWOMAN UMBERGER: I think we should talk about it since --

SEN. D'ALLESANDRO: I think so.

CHAIRWOMAN UMBERGER: -- Senator D'Allesandro had some --

MR. ARLINGHAUS: (Inaudible).

CHAIRWOMAN UMBERGER: I don't mind.



MR. ARLINGHAUS: Okay. With me are Kate Mulleavey is head of the recruitment unit, our new recruitment unit, and Matt Mavrogeorge is the Director of Personnel. I'm sorry, the Deputy Director of Personnel. Boy, Lorrie would just kill me, right? And I won't tell you which is which but you might be able to tell.

Hum -- so a couple things. There's -- so there's a document in front of you that -- that Kate prepared which is the numbers. The only change from the thing that we sent before is that the vacancy rate is 20.6. And I don't want to say that doesn't matter. But there's a chart in the back, I think it's Page 4, that kind of shows what's happening. But what's going on is not that we're anticipating making immediate changes that will affect a rate. We're doing a lot of things.

I remember, you know, back in the day people would ask about, you know, we're talking about economic development or budgeting or something like that, and someone said what's the one thing we need to do? And I said the one thing we need to do is to stop thinking there's one thing that we need to do. Because there's no one thing that's going to make a difference on anything. And this is true of any major project you have.

But on recruiting in the state, we're not -- there's not one thing that we're not doing. If -- if something happened and you saw immediate movement, it would be because, oh, it turned out we forgot to flip a switch and now we're getting eight times as many applicants. No. There are a lot of little things.

Kate and her team of three people and Matt is an integral part of this are working on doing a lot of things. And if you look at the bullet points on major milestones, a lot of them you're going to look at and say, well, that doesn't sound like that big a thing. But everything is a big thing. Everything's a little thing. And all the little things start adding up. You know, I'm going to give one example that I'm directly familiar with from a few years ago.

We -- hum -- we have a lot of building service workers which is a part-time position doing cleaning. We have a lot of them based in the City of Concord who are not native English speakers. A lot of them are from -- from immigrant communities or new Americans or -- hum -- or refugees or what have you. And it turned out that, you know, the typical way of recruiting for a position like that doesn't really work. But we had -- we have a number of people inside those communities who we did flyers and at some point somebody did a flyer and had one of them translate it into Nepali, I'm going to say, but I might be wrong about that, and -- and passed it out.

It helped. We got four or five applicants that we didn't have. And it's the whole thing about word of mouth. One little thing that made a little tiny difference. It doesn't affect any data point or our numbers; but for the -- for the buildings that started getting cleaned that weren't -- well, they were getting cleaned but the pressure on the building crew that made a difference.

So everything we're doing is designed to make a little bit of difference. And I think we're -- I think we're getting there. There's a data point in here that shows you what happens. I talked to you before about how this -- how there's a churn. So I think it's Page 2. Net hires by pay period. We hire people, we terminate people. Termination just means they left. It doesn't mean they got fired, right? You retire, your -- your position is terminated and all of that. And you see the net number is negative a lot of times. We've had positive, we've had negative. We actually had a really good pay period. We hire on Fridays. I think people know that. Everybody starts work on a Friday.

Before I came to Fiscal, I actually wrote an e-mail to my Department about the five new people who were starting this particular Friday and saying make sure you wave and say hi to them as you walk by. And so everybody starts on Friday and this is what happened on the last 30-ish Fridays. And so we're going

to be analyzing that data and kind of figuring out how that works.

At the end of the day, one of the things we can do -- hum -- recruitment is going to be a little bit like curling for us as a state. And there are national trajectories that are ongoing and we're going to -- we can sweep to, I don't, you know, watch curling at the Olympics, right? You sweep and you kind of move it a little bit this way or a little bit this way. So we're trying to move it a little bit this way. Nobody's going to flip a switch and we're gonna go from 20% and next month I'm going to come to you and say, hey, it was 20.4 last month and now it's 8.5. Wow! We hired like a thousand and six people. That's just never going to happen.

So what we're hoping to do is to reverse that trend. That trend is only reversed by a lot of hard work by hiring managers. And it's not -- it's to some extent hard work by the people to my right. But to some extent -- to a large extent it's them helping other people get the work done. We're going to certify positions faster. You apply for the state job you get certified. You get an answer faster. You get disposition faster. So you know you got the job. You know you didn't get the job. We encourage those people to apply for other jobs in the State system. And you can see here that some of those -- some of the research work done, you know, we found people who were interested in a State job and didn't get one, and then just sort of languishing out in the Ethernet somewhere and moving that forward.

And so that's the big picture on kind of where we're going. And -- and I think it's going to get worse before it gets better. But we're finding a lot of -- a lot of things to work on that are -- that are making those small differences that we need to make.

CHAIRWOMAN UMBERGER: Thank you. Are there any further questions? Yes, Representative Emerick.

REP. EMERICK: With the pressures of inflation and et cetera, et cetera, et cetera, do you think we're going to see some retirees coming off the bench to come back into at least part-time employment?

MR. ARLINGHAUS: Well, the short answer is I hope so. I mean, we have -- we have a number of people. This happens a lot lately. I mean, it happened in State service for a while. But, you know, I -- I have a -- I have a guy who is, you know, he's past Social Security full-time age and -- well, so I think a lot of people here know, you know, Mike Connor who retired as Deputy Commissioner in 2017 and did everything and anything to do with property and Public Works and procurement and was an institution. So he retired. We got him to come back part-time and I'm making sure to drop by and explain to him that, you know, if you wait until you're 70 to take Social Security, it goes up 8% a year those three years just so you know and to kind of put that off.

Hum -- we tried to do a lot of that. We have, you know, I see a guy in the basement all the time who used to work for Weights and Measures in -- in the Department of Agriculture. And he's -- and there aren't -- that's a thing where, you know, I didn't -- I hadn't even heard the term metrologist before -- before I started looking at the State Budget. And they have a new metrologist and this guy is onboard because there aren't a lot of them and he's -- he's 25, 30 hours a week. And we talk and when I see him in the basement about retiree health a lot.

And so we're doing everything we can with that. I think it -- I think it's an effective solution. In some managerial positions it requires you to rethink how you do things. We're -- there's an old fashion attitude that, you know, everybody I have I need to have full-time. And you get used to like, well, what I really need is another -- is another, you know, another Fred. And maybe what you need are two half Freds. And -- and -- and by the way, just for the record, two half Freds are actually cheaper. And so -- and if it happens to be a

Fred who actually knows what they're doing, you know, I have some of you may have met Joe Bouchard before, and I had a conversation with him on his last day which didn't go anywhere; but I said just so you know, once the summer's over, and you're tired of the black flies biting you up in Maine, I'm sure we could work something out. Because -- because I'd grab a guy who already knew what the heck he was doing, instead of bringing somebody in and having to train them and go, okay, so the budget. This is going to sound weird to you but, and because he already knows all the weird stuff. And so it's easier. So that's a long way of saying I hope so.

CHAIRWOMAN UMBERGER: Are there any further questions? Yes. Thank you very much for this report. Oh, Representative Erf.

REP. ERF: Thank you, Madam Chair. Could you just remind me what a non-classified position is and how many there are?

MR. ARLINGHAUS: Hum -- yes. Sort of. Hum -- so the entire State workforce, almost without exception, is divided into classified and unclassified and unclassified are largely the G&C appointments, but there are a couple other categories. The Governor's staff is non-classified. They're salaried. They're not budgeted at anything. He could theoretically pay one guy 500 grand and somebody else six. It's an argument I made when I worked there. It didn't go anywhere. But legislative employees are also non-classified. It means they're not part of any system and they're not part of a scale. They tend to be weird one-offs here and there. And in the Executive Branch there's almost none of it, except political appointees.

Historically, it was meant to be used for people who are political appointees and serve at the -- at the whim of somebody else and certain categories under federal FLSA designations.

CHAIRWOMAN UMBERGER: Senator Rosenwald.

SEN. ROSENWALD: Thank you. At one point we approved money here for some employees at Hampstead Hospital. They were going

to be non-classified, too, which was, I think, the first time I ever heard that. Was that the only place aside from the Governor's Office and the Legislature that we were going to have non-classified?

MR. ARLINGHAUS: I think that's true. But I think there are a couple of onesies and twosies. Do you happen to know any others? Oh, first year attorneys at Department of Justice before they're commissioned are technically non-classified in a different way. But, by the way, the Hampstead Hospital people, I'm pretty sure my understanding of this is right, and Sheri can raise her hand in the back if I'm wrong, is that that's temporarily non-classified while they're in the process of going through JCEC approval to create the -- to do the evaluation where they should be in the unclassified system, I think,

SEN. ROSENWALD: But we are getting rid of them anyway?

MR. ARLINGHAUS: We're what?

SEN. ROSENWALD: We're eliminating those when they turn into, because we did something statutory.

MR. ARLINGHAUS: Yeah. When they switch the old thing goes away. The thing that's a temp goes away.

CHAIRWOMAN UMBERGER: Okay. Are there any further questions? All right. Now can I and finally announce the next meeting? Okay. Oh, yeah. Well, it's on -- it's -- yeah, it's all there.

Hum -- our next meeting will be on July 22<sup>nd</sup> at 10:00 a.m. And then we will skip August and, hopefully, we won't have any emergencies so that we have to come in. But thank you all for coming today. And for those of you watching, I hope you have enjoyed it. And I will now ask for a motion to adjourn. Representative Leishman, seconded by Representative Emerick. All those in favor? Opposed? I see Joe's opposed down there. Thank you all for your good work.

**JOINT LEGISLATIVE FISCAL COMMITTEE**

**June 17, 2022**

(Meeting concluded.)

**CERTIFICATION**

I, Cecelia A. Trask, a Licensed Shorthand Court Reporter in the State of New Hampshire, do hereby certify that the foregoing transcript was transcribed by me from the YouTube recording. I was not physically present at this meeting, and I have transcribed the recording to the best of my ability, skill, knowledge, and judgment.

Cecelia A. Trask, RMR, CSR  
NH Licensed Shorthand Reporter #00047

**JOINT LEGISLATIVE FISCAL COMMITTEE**

**June 17, 2022**