

JOINT LEGISLATIVE FISCAL COMMITTEE

Legislative Office Building, Rooms 210-211

Concord, NH

Friday, December 15, 2023

MEMBERS PRESENT:

Rep. Kenneth Weyler, Chair

Rep. Keith Erf

Rep. Gerald Griffin (Alt.)

Rep. Mary Jane Wallner

Rep. Peter Leishman

Rep. Mary Heath (Alt.)

Rep. David Huot (Alt.)

Sen. James Gray

Sen. Ruth Ward

Sen. Keith Murphy

Sen. Lou D'Allesandro

Sen. Shannon Chandley

(1) Acceptance of Minutes of the November 9, 2023 meeting

KENNETH WEYLER, State Representative, Rockingham County, District #14 and Chairman: Good morning. It being 10 o'clock, I will call the Fiscal Committee, the Joint Fiscal Committee to order for -- uh -- December 5th -- December 15th, 2023. I will point out we have some replacements today. We have Senator Chandley joining us to replace Senator Rosenwald. Senator Ward is joining us to replace Senator Bradley. We have Representative Griffin to replace Representative Edwards.

First item on the agenda is the acceptance of the minutes of November 9th, 2023. I will entertain a motion.

JAMES GRAY, State Senator, Senate District #06: Senator Murphy is here replacing --

CHAIRMAN WEYLER: Oh! Senator Murphy is replacing --

SEN. GRAY: -- Regina.

CHAIRMAN WEYLER: -- Senator Birdsell. Thank you.

** LOU D'ALLESANDRO, State Senator, Senate District #20: Move {Inaudible}.

CHAIRMAN WEYLER: All right.

SEN. GRAY: Second.

CHAIRMAN WEYLER: Is there any additions or corrections on the minutes? Seeing none. Are you ready for the question? All in favor to accept the minutes from November 9th say aye? Opposed no? The minutes are adopted.

*** {MOTION ADOPTED}

(2) Old Business:

CHAIRMAN WEYLER: Next we'll go to Old Business. Do we have someone here from the Attorney General's Office? Thank you. Whoever else you need, have them come forward and introduce themselves, please.

SEN. GRAY: Turn the mics on first, please.

CHAIRMAN WEYLER: See a red light and then we can hear you better.

JENN FOLEY, General Counsel, YDC Claims Administration and Settlement Fund: Got it. Okay. Thank you. Jenn Foley, General Counsel for the fund.

JENNIFER RAMSEY, Assistant Attorney General, Attorney General's Office, Department of Justice: And, Mr. Chairman, I'm Jennifer Ramsey with the Attorney General's Office.

CHAIRMAN WEYLER: Two Jennifers. Okay.

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ATTORNEY RAMSEY: That's right. And there are several more involved in the fund.

CHAIRMAN WEYLER: Welcome.

ATTORNEY RAMSEY: Thank you. Let me just lead off by saying I apologize that we were not here last time. We had a miscommunication, and we appreciate the opportunity to present the report to you today.

I'll let Attorney Foley who drafted the report present to you the information in it, and then I'm happy to answer any questions that anyone has.

CHAIRMAN WEYLER: Thank you.

ATTORNEY FOLEY: So the report is meant to be responsive to the statute's directive to give a picture of the number of claims filed, the number of claims resolved, the kinds of abuse that is both filed as a claim and also resolved.

So if there's specific questions on the numbers, I can address that. I can also give you a sense -- we're about to close quarter four. I can give you a sense as to what a couple of numbers that we're -- that you may be interested in at the close of quarter four.

CHAIRMAN WEYLER: We didn't get anything in writing. So if you'd spell out the numbers a bit.

ATTORNEY FOLEY: Okay. For quarter four or for quarter three?

CHAIRMAN WEYLER: For -- how many cases filed, how many have been settled.

ATTORNEY FOLEY: Okay. Sure.

CHAIRMAN WEYLER: How much money has been promised.

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ATTORNEY RAMSEY: And if I may, since we're presenting the quarter three report, I think it would be appropriate to report those numbers.

ATTORNEY FOLEY: Sure. Yep. Okay. So the number and total claim amount for filed claims, the total filed claims for quarter three was 180 claims filed. Um -- there was as a picture for quarter one, there was 38 claims filed. And for quarter three to give you a picture there was -- excuse me -- 88 claims filed. So there has been an increase in volume.

In terms of the nature of abuse of claims -- uh -- from those 180 claims, there are claims that allege both sexual abuse and physical abuse. A hundred thirty-eight of the 180 claims represent that category. Some of the claims -- um -- claims include sexual abuse only. Twenty-six is the number for the 180. And some of the claims allege physical abuse only and that is 16. And we do so far see a smaller portion that are alleging physical abuse only.

In terms of the pending claims, in other words, the ones that have not been resolved yet. At the close of quarter three, 148 claims out of the 180 were still pending in the process. There's a number of steps that the claims processing involves. So it does take -- uh -- careful managing and shepherding through those steps in order to get to resolution. And there's two ways of resolving, as you know. One is through the Attorney General's Office by way of mutual agreement with the parties or should the parties seek a resolution proceeding with the Administrator, that's another opportunity for resolution by the Administrator's decision.

So from the 180 claims that were pending at the end of quarter three, 29 of them were resolved. Twenty-eight of those 29 were resolved through mutual agreement with the Attorney General's Office. One was resolved by the Administrator by the close of quarter three. Of course, that number is different now that we're a couple months down the road from quarter three.

For the settled amounts, those resolved amounts, \$13,390,625 were -- represents the resolved amount. And that's for both those resolved through the Attorney General's Office and the one at that point that been resolved through the Administrator. The report does give the breakdown of those two numbers if you're interested. Would you like me to give you that -- that difference?

CHAIRMAN WEYLER: So that report is forthcoming?

ATTORNEY FOLEY: That report is on our website and it was provided --

CHAIRMAN WEYLER: Oh.

ATTORNEY FOLEY: -- to the Committee.

CHAIRMAN WEYLER: All right. He's looking at it now. Thank you.

ATTORNEY FOLEY: Yep. So the report does give a comparison because the resolved amount is not necessarily going to be the claim amount. For some claims it will be. For some claims it will be something less.

So to give you a picture of that, the report gives you a comparison. Out of the 29 that were resolved, the claim amount was in excess of 20 million, but the resolved amount was 13 million. So you can see that there's a difference between, and that's aggregate numbers obviously, so. So that just gives you a picture that claim amount doesn't always means that that is the amount that is actually impacting the fund.

So the report also gives a picture for those claims that have been resolved, what kinds of abuse was resolved. So of those 29 claims, 17 involved resolution for both sexual abuse and physical abuse claims. Seven of them were sexual abuse only claims, and five of them were physical abuse only claims.

The report also goes on to give a picture of other ways that claims leave the process. Some are withdrawn as an example. So at the end of quarter three, two of them have withdrawn from the process.

Um -- the report gives a dollar amount that relates to those claims that are outside of the process now.

CHAIRMAN WEYLER: Were they withdrawn in order to file to go to court or in order to just negate the claim?

ATTORNEY FOLEY: Um -- when a -- when a claimant withdraws from the process, at that point the Administrator does not have a picture as to whether they're going to continue to pursue in court or not. And some claims, if they withdraw, it doesn't necessarily mean that they have litigation pending at the time. So of all the claims that are filed with us initially, we do track those that have related litigation pending; and, therefore, have to have a stay put in the court, versus there are quite a few claims that come into the process that have no litigation pending at all. So if they withdraw, if there's pending litigation they can choose to pursue it. Um -- if they don't have pending litigation, they could bring it; but that's not something that the Administrator's Office is involved in.

ATTORNEY RAMSEY: I would just add, I believe in both of those cases the withdrawal happened before any decision had been made on the claim. So we don't know that they withdrew because they were dissatisfied. They simply decided not to participate anymore.

CHAIRMAN WEYLER: Maybe they didn't have a strong memory or maybe they weren't able to provide -- do we ask them to provide dates or any things that can be verified?

ATTORNEY FOLEY: Dates of the claimed abuse?

CHAIRMAN WEYLER: Yes.

ATTORNEY FOLEY: Yes. So the claim packet itself when a claim comes into the system, there are dates that are -- and locations and kinds of abuse that are -- um -- in the claim packet itself.

CHAIRMAN WEYLER: That can be verified as to whether that person and the other person they claim abused them were, in fact, present at that site at that time?

ATTORNEY FOLEY: If the -- if the -- um -- claimant withdrew their claim, it would depend on when they withdrew it as to whether or not that verification process actually occurred. Um -- if it's an early on withdrawal before the Attorney General's Office has done its evaluation, then they're really -- the verification process wouldn't have begun. But if the claim proceeded to the Attorney General's position, then I'll let the Attorney General's Office speak for themselves as to what kind of verification or what that would mean for verification.

ATTORNEY RAMSEY: Yeah. Thank you for the question, Representative. Um -- I -- I -- if I understand what you're asking, you're wanting to be sure we're able, based on the information we're receiving from claimants to at least verify that they were at a State facility and that the people that they claim to have abused them were also working at that State facility. If that's the question, then I think the answer to that question is yes. In almost all cases, we are able to either look through the facility's records or we have other means of looking at records to verify employment.

There are occasionally cases where we are not able to conclusively establish particularly the employment, because a claimant won't remember someone's full name. So we might get a claim where they just say I don't remember the CO's name, but I remember what they looked like, right. In those cases, we're not able to pull employment records. But to the extent that we have the information, we are looking at trying to verify those kind of hard facts when we get them.

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CHAIRMAN WEYLER: Thank you. Those are some I've had in mind for a while to ask.

ATTORNEY RAMSEY: Sure.

CHAIRMAN WEYLER: Any further questions from Committee Members? Representative Leishman.

PETER LEISHMAN, State Representative, Hillsborough County, District #33: Thank you, Mr. Chairman, and thanks for taking my question. I'm not sure which Jennifer I would direct this to; but if I recall, we set aside \$100 million to handle these claims, and I see in your report -- uh -- thus far it's about 175 million that the claims filed. Is there sufficient funds with that 100 million? Do you anticipate settlement going over that \$100 million or the need to come back for additional funding or is it too early to ask that question?

ATTORNEY RAMSEY: In some senses it's too early to know. The \$171 million that you see in the report represents we just simply totaled everything that had been asked for through the end of quarter three. The actual awards are much less. But I think if you do the basic math of the number of potential claimants that exist, and use the average price that we're settling or the average award that we're making for claimants, it is likely that the \$100 million is not going to be sufficient if we want to resolve all of the claims through the fund.

REP. LEISHMAN: Thank you for your answer. Thanks, Mr. Chairman.

CHAIRMAN WEYLER: Representative Erf, did you want to --

KEITH ERF, State Representative, Hillsborough County, District #28: {Inaudible}.

CHAIRMAN WEYLER: Oh, continue what?

REP. ERF: With Q-4 numbers. They have those {Inaudible}. She can give me the numbers then.

CHAIRMAN WEYLER: Yes. There are further numbers to come?

ATTORNEY RAMSEY: So we'll be providing a report every quarter. We're almost through with quarter four. So that report will come in mid-January. And if you -- if you are thinking in terms of -- um -- the cost for the State, I can report just anecdotally that we're now in the realm of having resolved probably north of 60 claims for quarter four. And that the -- the amount that will have been paid out of the fund by the end of the quarter I'm estimating is going to be about twice what it was at the end of quarter three.

CHAIRMAN WEYLER: Now as the payments that have been structured so far, how many of them will go beyond the end of this Fiscal Year, this Fiscal biennium?

ATTORNEY RAMSEY: When you say go beyond, I'm not sure what you mean.

CHAIRMAN WEYLER: So this -- this biennium will go till June of -- of '25. Are some of these payments structured to go beyond that date so the hundred million is within this biennium.

ATTORNEY RAMSEY: I see.

CHAIRMAN WEYLER: So if they go beyond this biennium, then we may be able to do a new budget and a new -- a new appropriation.

ATTORNEY RAMSEY: I understand. Thank you. I think it is likely that some payments will go beyond the end of this biennium. The date by which claimants have to apply for compensation from the fund is the end of the Calendar Year of 2024. So a claim that came in in December of 2024 would work its way through the process and potentially would be resolved in the second or third or even the fourth quarter of 2025.

So -- um -- assuming that the process continues, then I think that -- that there would be -- um -- potentially some -- um -- financial contributions in the next biennium as well.

CHAIRMAN WEYLER: Do you have an estimate of when the hundred million will be expended? Will it be within this biennium?

ATTORNEY RAMSEY: I do not. We could look at that.

CHAIRMAN WEYLER: Okay.

ATTORNEY RAMSEY: And let you know.

CHAIRMAN WEYLER: As a Fiscal Committee, that's information we need. Whether we need to go look at Other Funds to transfer money or whether we worry about the next budget.

ATTORNEY RAMSEY: Yep. I think it would be appropriate for us to address that for you in the next quarterly report.

CHAIRMAN WEYLER: Thank you very much.

ATTORNEY RAMSEY: Thank you.

CHAIRMAN WEYLER: Representative Erf.

REP. ERF: Thank you, Mr. Chairman. Thank you. Do you have the numbers for Q-4 to date as you just went through them for Q-3 in terms of the total claims filed and so on and so forth right down the list?

ATTORNEY RAMSEY: Um -- do you --

ATTORNEY FOLEY: I -- all those specific numbers I do not. We have -- I have a couple of pictures that I could give you.

REP. ERF: Okay.

ATTORNEY FOLEY: So the couple of pictures I just went and looked at our docket this morning. And our -- so from the present of where my docket is updated, because that takes time in and of itself, we have -- I just don't want to speak out of turn. Go to my notes.

The number of claims in quarter four as new claims that came in in quarter four is -- is north of 65. So we have the rest of quarter four to live, and also I need to look at my inbox to see how many more are sitting there now. Um -- and then the other number I took a look at just to give a quick picture is the number of resolution proceedings.

Um -- um -- so we have about, again, north of 60 resolution proceedings that have been selected by claimants that need to get -- some are scheduled and happening, and we have award or no award letters going out. And some need to be scheduled into early 2024 in order to go through the resolution proceeding process with the Administrator.

REP. ERF: Could you just clarify what you meant or I understand that you've made or the system has made offers to 60 claimants and you're waiting to hear the -- what -- what did that mean what you --

ATTORNEY FOLEY: Okay. So I took a look at the numbers of how many of the claims have selected a resolution proceeding as the avenue for resolution. And at this point we have a little more than 60 claimants have asked to have their claim resolved in front of the Administrator. That number does not represent the amount of award or no award letters. It's simply the pending.

There is a portion of those that have been resolved by the Administrator and that will be reported in the quarterly report that shows how many and how much, including whether it's an award letter or no award letter.

REP. ERF: And, lastly, when you -- when you -- before I started to ask you these questions you mentioned the -- I think you said the resolve claims amount is now about double what it was before. So does that mean around \$26 million? Is that what you stated?

ATTORNEY RAMSEY: Yep, I think that's correct.

REP. ERF: Thank you very much.

CHAIRMAN WEYLER: Senator Gray.

SEN. GRAY: Mr. Chair, at this time, since quarter four report has not been done, not expected to be done until sometime in January, I would like to have an agenda item either the January or the February meeting so that we can discuss those. Trying to do this off the cuff is, I don't think, productive for us, and certainly I would like to see that happen. Thank you.

CHAIRMAN WEYLER: Yes. We'll need some written material in so that we can have it included in our -- I didn't even know it was on the website.

ATTORNEY FOLEY: Okay. We will -- we will work on that.

CHAIRMAN WEYLER: Thank you.

ATTORNEY FOLEY: Yep.

CHAIRMAN WEYLER: Further questions from the Committee? Seeing none. Thank you -- thank you very much both of you for coming in, and we'll see you again in January.

ATTORNEY RAMSEY: Thank you.

CONSENT CALENDAR

(3) RSA 9:16-a, II, Transfers Authorized:

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- (4) RSA 9:16-c, I, Transfer of Federal Grant Funds:
- (5) RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000 from Any Non-State Source:

AMERICAN RESCUE PLAN 2021
CONSENT CALENDAR

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

CHAIRMAN WEYLER: Okay. We have a Consent Calendar that covers Tabs 3, 4, 5 and 6. And so far these are the items that have been removed from Consent. FIS 23-341 and 23- 344. Are there any further items?

REP. ERF: And twenty-three three six {Inaudible}.

CHAIRMAN WEYLER: And 23-364.

SEN. D'ALLESANDRO: Right.

CHAIRMAN WEYLER: Are there any further items to be removed from the Consent Calendar? Seeing none.

** SEN. GRAY: Move the Consent Calendar as amended.

SEN. D'ALLESANDRO: Second.

CHAIRMAN WEYLER: A motion to accept the Consent Calendar on Tabs 3, 4, 5 and 6 by Senator Gray, seconded by Senator D'Allesandro. Further discussion? Seeing none. Are you ready for the question? All in favor say aye? Opposed no? The Consent Calendar with the subtractions I listed is accepted.

*** {MOTION ADOPTED}

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CHAIRMAN WEYLER: Moving on to the Regular Calendar. Tabs -- or first we'll move to the first item removed, 23-364. That is the Department of Health and Human Services. Representative Erf is recognized for questions.

REP. ERF: Thank you, Mr. Chair, {Inaudible} my questions. So a question in response to one of the responses that you provided -- um -- in writing to your original note, which related to the JSR -- JRC not being qualified. And my first question is was it ever qualified to receive funds? In other words, to any funds to start the process.

NATHAN WHITE, Chief Financial Officer, Department of Health and Human Services: Good morning. Nathan White, Chief Financial Officer with the Department of Health and Human Services. I'm going to have Chris Santaniello speak to the -- the history here a little bit.

CHRISTINE SANTANIELLO, Associate Commissioner, Department of Health and Human Services: Good morning. Chris Santaniello, Associate Commissioner.

In 2016 -- um -- the Department was in discussions with CMS and at that point in time -- um -- there was an understanding that certain situations could be covered -- um -- at JRC. And then later in about I think it was -- um -- 2022 we were notified that that was no longer the interpretation.

CHAIRMAN WEYLER: Further questions.

REP. ERF: Okay. So if I understand correctly, because also you indicated in this thing that not only was it against the law for federal, it was also against State Law as well at that point or at some point.

MS. SANTANIELLO: Yeah. Yes, in 2023. Sorry, I'm trying to go back in my head. Um -- RSA 171-A there's a section of it that

says we have to comply with the settings rule through CMS and that actually came in effect in March 17th, 2023.

REP. ERF: Right. So based on that it sounds like you were -- we, the State, was legally paying for the services for a period of time, and then at some point in time it became illegal to do that. And then the Supreme Court ruled that they ordered the payment regardless. And I'm just wondering in that -- you didn't really go into the ruling, but in that ruling did it state the reasons that they basically said you have to make the payments even though State Law says you don't have to make the payments.

MS. SANTANIELLO: We're in active litigation on that ruling right now. So that was a preliminary ruling. So we're still working through that.

REP. ERF: But is that ruling available, that preliminary ruling?

MS. SANTANIELLO: Yes, we can provide that to you.

REP. ERF: Thank you, that be great.

CHAIRMAN WEYLER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you, Mr. Chairman. First of all, thanks very much for coming. And it is a little convoluted here, but we were ordered -- we were ordered to pay, Court ordered to pay. So -- and our recourse is we are -- we are questioning that at this point in time, and we're back in court.

MS. SANTANIELLO: Correct.

SEN. D'ALLESANDRO: Okay. And -- and who's representing us, the Department or do we have outside counsel?

MS. SANTANIELLO: Department of Justice.

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

CHAIRMAN WEYLER: Further questions from the Committee?

** SEN. GRAY: Move the item.

CHAIRMAN WEYLER: Senator Gray moves the item. Senator D'Allesandro seconds it. So even though they're still in court, this vote authorizes them 900,000 if they need it. If they don't, they won't; but that's what they need the authority to go forward. Everyone understand the situation? All in favor of the request for FIS 23-364 say aye? Opposed no? And that is adopted.

*** **{MOTION ADOPTED}**

MS. SANTANIELLO: Thank you.

CHAIRMAN WEYLER: And the next item removed is 23-341, Department of Education. And I see the Commissioner.

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

CHAIRMAN WEYLER: Good morning, and someone from the Senate had a question on this item.

SEN. D'ALLESANDRO: Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Senator D'Allesandro is recognized.

SEN. D'ALLESANDRO: Thank you. Thank you, Commissioner. Nice to see you.

MR. EDELBLUT: Good to see you.

SEN. D'ALLESANDRO: Commissioner, aren't you occupying that space at the present time?

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MR. EDELBLUT: Yes.

SEN. D'ALLESANDRO: So my question is what do you need new furniture for if you're already occupying the space and you have furniture from your previous location that you could move over there?

MR. EDELBLUT: Yeah, thank you for the question. I appreciate that. So we are occupying that space. We have not been occupying the space that we will be moving into. Um -- over the past year, Granite State College, which is now merged with University of New Hampshire, has been slowly moving out of space. Several months ago they moved out of some of the space that was occupied, and so that we will be moving our people into that space.

Within the Granite State College the furniture that they had there -- so for the most part, we've acquired all of the furnishings as well, but they had certain areas that were more like lounge areas -- uh -- that were not necessarily conducive to kind of a high density office space. So we allowed them to take the lounge type furniture and we are occupying the space with cubicles.

SEN. D'ALLESANDRO: Okay.

CHAIRMAN WEYLER: Further question.

SEN. D'ALLESANDRO: May I?. But we bought -- we're buying the building. So are we allowing them to take the equipment out -- out of the building that we're purchasing? I mean, we're paying \$7 million for that building. And it seems to me, A, we're paying seven million for it, we're buying it. B, we're already occupying it and paying rent to the Community College System or whoever at this point in time, and we're allowing them to take furniture out of -- out of our building?

MR. EDELBLUT: So the price that we're paying for the facility is \$6,750,000, which includes all of the furnishings. So about \$7 million just to be precise. And we have retained all of the furnishings that are useable. What we want to do is we want to make sure that we have a -- a density that is consistent with a normal corporate environment as opposed to, you know, a student lounge which is what this space occupied. And so we did need to acquire some furnishings for part of that building. I mean, I can tell you even now we don't occupy all of that building. There are three external tenants in that building. Those tenants will be moved out once the sale is closed, and they get a 90-day notification and they'll be moving out. And then we will be moving additional people into those spaces.

SEN. D'ALLESANDRO: Further question.

CHAIRMAN WEYLER: Further question.

SEN. D'ALLESANDRO: So how many people do you have there now, and how many additional people will you be moving over, and where are those people now?

MR. EDELBLUT: So I don't have all of the numbers in terms of the people, in terms of the exact count; but right now I have some people who are in Walker Building that will be moving over as we occupy this space.

SEN. D'ALLESANDRO: Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Further questions from Committee Member? Senator Gray.

** SEN. GRAY: Move the item.

REP. ERF: Second.

CHAIRMAN WEYLER: Motion and a second to adopt the item. Is there any further discussion? Seeing none. Are you ready for

the question? All in favor of adopting 23- 341 say aye?
Opposed no?

SEN. D'ALLESANDRO: No.

CHAIRMAN WEYLER: How many nos? Two. Do you wish to be recorded?

SEN. D'ALLESANDRO: Yes.

CHAIRMAN WEYLER: Okay. All right. The motion is adopted with two objections.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: Moving on to Item 23-344, Department of Business and Economic Affairs. We see the Director and another.

TAYLOR CASWELL, Commissioner, Department of Business and Economic Affairs: Good morning.

CHAIRMAN WEYLER: Good morning. You'll announce yourself.

MR. CASWELL: Oh, sorry. Taylor Caswell, Commissioner of Department of Business and Economics Affairs.

CHASE HAGAMAN, Director, Bureau of Economic Development, Department of Business and Economic Affairs: And Chase Hagaman, Director of Economic Development of BEA.

CHAIRMAN WEYLER: And I believe someone from the Senate had a question on this.

SEN. GRAY: I believe that -- I believe that the questions were coming from Senator Birdsell who's not able to be here today. I think that centered around how we decide which people go on trade missions are funded through certain funds and how we decide that people aren't being funded, because she was one of the ones who went on a trade mission, and that brought up the

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question. So, with that as a lead in, I'll turn it back over to the Commissioner.

CHAIRMAN WEYLER: It sounds like a question who decides who gets funded and who does not get funded, and do they know this before they go.

MR. CASWELL: Well, I don't know the specifics of this particular request that was apparently made; but as it relates to that trip to Poland, there were two companies that were eligible to receive funding under the federal Step Program that we administer. And those companies did receive some funds to alleviate the cost of -- of attending on the trade mission.

There are questions of eligibility that are directly related to the program that we administer that the individuals and the companies that are paid are -- that are eligible for this are employers or staff that assist in that regard and represent the State on our behalf.

CHAIRMAN WEYLER: So I guess without specifics we don't know the answer.

MR. CASWELL: It would be hard for me to say specifically. I do know, 'cause I -- in response to the question I received, I -- I did talk with our staff, and we -- we are not aware of any denial that we made to anyone for that trip. So -- uh -- if that's not the case, I would have to know more about that.

CHAIRMAN WEYLER: Further, Senator Gray.

SEN. GRAY: What would be the consequences of tabling this until the January meeting? Is there an immediate need for the passage of this or --

MR. HAGAMAN: That's a great question, Senator. This is funding for the next round of the Step Program as it pertains to the trip in question. That was from the previous round. So this funding has nothing to do with that particular mission. And I

will just add for clarification sake, this funding is federal funding that has specific requirements. The money has to go to eligible businesses, not indiv -- like elected leaders or individuals in the public. It's specifically for designated staff in the program, and the businesses that are eligible and apply. So they would, in fact, know ahead of a trip whether they received funding for it because they submit an application.

SEN. GRAY: Let me repeat the question.

MR. HAGAMAN: Yep.

SEN. GRAY: Okay. What would be the effect of postponing this until the January meeting?

MR. HAGAMAN: The effect would be any delay in ongoing funding for this program, the Step 10 Program, which is prior to the Step 11 that we're seeking authorization for now, is effectively out of funding. So any ongoing applications or incoming applications over the next month would likely be delayed. If there are any trade shows or exports or related research that companies are trying to engage in with this funding there may be a delay for them.

CHAIRMAN WEYLER: Further.

SEN. GRAY: But we don't know of any at this time that there would be a problem with delaying this until January meeting.

MR. HAGAMAN: I can't specifically think of a business that would be directly impacted over the next month, but I can certainly check with our staff, which is not helpful in this particular moment, other than to say we get regular applications.

****** SEN. GRAY: Move to table till January.

REP. LEISHMAN: Mr. Chairman, I do have a question before the tabling motion and I'll be happy --

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CHAIRMAN WEYLER: Oh, all right. Before I accept the tabling motion, Senator -- Representative Leishman has a question.

REP. LEISHMAN: Thank you, Mr. Chairman, and I certainly would second that motion after my question. But there -- you mention in here out-of-state travel for, like, \$8,600. And it says it would enable between six and eight people to participate. That doesn't sound like enough money to me to go to the U.K. and put people up and the travel expenses. Where did that figure, the \$8,600 come from?

MR. HAGAMAN: That's a great question, Representative. So the 8600 came from the initial application for the federal funding itself, and it relates to the Farnborough Trade Show in the U.K. and that will enable six to eight businesses to be able attend a booth that the State would run. So those costs are related to travel and the booth costs as well, and some funding for businesses themselves to attend.

MR. CASWELL: But that's a percentage of their cost.

MR. HAGAMAN: Correct.

MR. CASWELL: It's not the entire cost.

REP. LEISHMAN: It's not the entire cost.

MR. HAGAMAN: Correct. Yes.

REP. LEISHMAN: Okay. Thank you. Thank you, Mr. Chairman.

CHAIRMAN WEYLER: When you approve a business, do you put a limit on how many people, they can take the whole company, or they could take three, or they could take two? Is there a limit on how many they can take?

MR. HAGAMAN: There's a limit on how much funding they would receive. So it depends on the information in their application. So in the existing program, the Step 10, there is a limit per project or trip of \$6,500, and that only covers up to 80% of the cost. So the company has to submit at least or commit at least 20% of the cost to the trip itself.

CHAIRMAN WEYLER: Thank you. Senator Gray.

** SEN. GRAY: Repeat my motion to table till January.

REP. LEISHMAN: Second.

CHAIRMAN WEYLER: Motion and a second to table. Further dis -- and it's a non-debatable -- um -- motion. All in favor of tabling say aye? Opposed no? That is tabled until our next meeting. Thank you.

*** {MOTION TO TABLE ADOPTED}

(7) RSA 106-H:9, I, (e) Funding: Fund Established:

CHAIRMAN WEYLER: Okay. So now we have dealt with all of the items on the Consent Calendar. We'll move to Tab 7 for the Regular Calendar. And the first item is -- do you have a question? {Inaudible}. No, we did. We did earlier. Thank you. 23-351, and that is the Department of Safety. Is there someone here from Safety?

MELANIE CARRAHER, Deputy Director of Administration, Department of Safety: Good morning, Mr. Chair, Members of the Committee. My name is Melanie Carraher. I'm the new Deputy Director of Administration for Department of Safety.

CHAIRMAN WEYLER: Thank you. Would you turn off the other mic. No, the other one. Turn yours on. Thank you.

SEN. GRAY: Move hers closer.

CHAIRMAN WEYLER: And move the mic a little closer.

SEN. GRAY: Very soft-spoken.

MS. CARRAHER: Oh, got it.

CHAIRMAN WEYLER: All right. All right. The Division of Emergency Services and Communications has a request. Are there any questions from the Committee?

** REP. LEISHMAN: Move the item.

CHAIRMAN WEYLER: Okay. A motion by Representative Leishman to move the item, second by Senator D'Allesandro to -- to accept and approve 23-351. Seeing no further discussion, are you ready for the question? All in favor say aye? Opposed no? That is adopted. Thank you very much.

*** {MOTION ADOPTED}

(8) RSA 216-A:3-g, Fees for Park System:

CHAIRMAN WEYLER: Next item is on Tab 8, 23-363, and that is Department of Natural and Cultural Resources. This has been in the newspaper lately because of an increase in the fees, which hasn't been done since 2012. And we have here before us?

SARAH STEWART, Commissioner, Department of Natural and Cultural Resources: Good morning. Sarah Stewart, Commissioner of the Department of Natural and Cultural Resources, and with me.

BRIAN WILSON, Director, Division of Parks and Recreation, Department of Natural and Cultural Resources: I'm Brian Wilson, the Director of the Division of Parks and Recreation.

CHAIRMAN WEYLER: Are there any questions from the Committee on the item increasing the fees for campgrounds? Obviously, it hasn't been done for quite some time.

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SEN. GRAY: Second.

CHAIRMAN WEYLER: Senator D'Allesandro moves to approve. Senator Gray seconds. Is there any further discussion? Seeing none, are you ready for the question? All in favor say aye? Opposed no? Do you wish to be recorded, Senator Chandley? Is there any other nos? That's the only one. Thank you. The item is adopted.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: Thank you.

REP. ERF: Did she say yes to being recorded?

CHAIRMAN WEYLER: Yes.

(9) RSA 362-F:10, I, Renewable Energy Fund:

CHAIRMAN WEYLER: All right. Next item is on Tab 10. Correction on, Tab 9. I don't want to skip anything. Tab 9, 23-352, the Department of Energy about net metering.

JOSHUA ELLIOTT, Director, Division of Policy and Programs, Department of Energy: Good morning, Mr. Chairman. For the record, Josh Elliott, Director of the Division of Policy and Programs with the Department of the Energy.

LEONARD RAUTIO, Chief of Operations, Department of Energy: I'm Leonard Rautio, the Chief of Operations for the Department of Energy.

CHAIRMAN WEYLER: Thank you. All right. Any questions from the Committee Members on the net metering?

SEN. D'ALLESANDRO: Always nice to see Josh, I'll tell you that.

MR. ELLIOTT: Good to see you, Senator.

SEN. D'ALLESANDRO: Welcome, Josh. Welcome to see you.

MR. ELLIOTT: Thank you, Senator.

****** SEN. GRAY: Move the item.

SEN. D'ALLESANDRO: Distinguished gentleman. Distinguished gentleman from the Department of Energy. I'd second the item. I'll second the item.

CHAIRMAN WEYLER: Motion by Senator Gray, seconded by Senator D'Allesandro to accept and approve Item 23-352. Further discussion? Seeing none, you ready for the question? All in favor say aye? Opposed no? Motion is adopted. Thank you very much.

MR. ELLIOTT: Thank you very much, Mr. Chairman.

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

(10) Miscellaneous:

CHAIRMAN WEYLER: All right. Moving on to item number ten. I'll recognize Representative Erf for a motion.

****** REP. ERF: Thank you, Mr. Chair. Move to accept the Office of Legislative Budget Assistant's requests of -- for approval to accept, place on file, and release to the public in the usual manner the following annual financial reports for the Fiscal Year ending June 30, 2023, when they become available:

The State of New Hampshire Annual Comprehensive Financial Report, the New Hampshire DOT Turnpike System Annual Financial Report, the New Hampshire Lottery Commission Annual Comprehensive Financial Report, and the New Hampshire Liquor Commission Annual Comprehensive Financial Report.

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CHAIRMAN WEYLER: Further discussion? Seeing none, you ready for the question? Is there a second to that motion?

SEN. D'ALLESANDRO: Second.

CHAIRMAN WEYLER: Second by Senator D'Allesandro. You ready for the question? All in favor say aye? Opposed no? That motion is adopted.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: I believe we have a request from the Legislative Budget Assistant.

MICHAEL HOFFMAN, Senior Budget Analyst, Office of Legislative Budget Assistant: Yes, Mr. Chair. On the top of the next page we have Item 366 with -- which is a request for approval to fill two financial auditor vacancies.

****** CHAIRMAN WEYLER: Motion to fill -- to fill two financial auditor vacancies at the LBA Audit Division.

REP. ERF: Second.

CHAIRMAN WEYLER: Motion by Senator D'Allesandro, second by Representative Erf to approve the request. Are you ready for the request? All in favor say aye? Opposed no? That is accepted.

***** {MOTION ADOPTED}**

(11) Informational Materials:

CHAIRMAN WEYLER: Are there any other questions on the Informational Material before us from any Members of the Committee? All right. Seeing none. We are ready to discuss the date of the next meeting, I guess.

(12) Date of Next Meeting and Adjournment

MR. HOFFMAN: Yes. I believe -- uh -- the third Friday in January would be the 19th.

CHAIRMAN WEYLER: Friday the 19th, 19 January. Any problem -- 10 o'clock? Any problem with the date or time on January 19th? Seeing none. All in favor say aye? Opposed no? That will be our next meeting.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: Is there any further business to come before us.

SEN. D'ALLESANDRO: Mr. Chairman, to wish everybody on the Committee a very merry, merry Christmas and a most happy and prosperous new year. And -- and all of our audience who are hard workers for State Government, thank you for your service, have a Merry Christmas and I see our Medicaid man. Always nice to see you here, sir. Have a great, great day, a great American day and enjoy the new year. Thank you. Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Thank you very much. And I think we all echo the same sentiments as Senator D'Allesandro. Thank you all for coming and thank you for all your good efforts throughout the year, and especially the Legislative Budget Assistant that always keeps everything going smoothly. Anything further?

REP. ERF: Who moved adjourn? I have none.

CHAIRMAN WEYLER: You will move it.

****** REP. ERF: I will move it. Okay. I move adjournment -- move adjournment, Mr. Chair.

CHAIRMAN WEYLER: Okay. Motion to adjourn.

SEN. GRAY: Second.

CHAIRMAN WEYLER: Second by Senator Gray. All in favor say aye? Thank you all very much. Well, not quite the fastest meeting but pretty good.

(Committee meeting adjourned.)

C E R T I F I C A T E

I, Cecelia A. Trask, a Licensed Court Reporter, do hereby certify that the foregoing is a correct transcription from the official YouTube audio recording of the proceeding in the above-entitled matter to the best of my professional skill and ability.

Cecelia A. Trask
New Hampshire Licensed Court Reporter - #00047

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