

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

June 12, 2020

The Fiscal Committee of the General Court met on Friday, June 12, 2020 at 10:00 a.m. via audio conference.

Members in attendance were as follows:

Representative Mary Jane Wallner, Chairman
Representative Ken Weyler
Representative Susan Ford
Representative Erin Hennessey (Alternate)
Representative Patricia Lovejoy (Alternate)
Senator Lou D'Allesandro
Senate President Donna Soucy
Senator Jay Kahn
Senator Cindy Rosenwald
Senator Chuck Morse

The audio conference convened at 10:00 a.m., with the assistance of Courtney Jordan at the Department of Safety and Michael Kane, Legislative Budget Assistant.

OFFICIAL AUDIO CONFERENCE MEETING PROCEDURES:

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

“Due to the state of emergency declared by the Governor as a result of the Covid-19 pandemic, and in accordance with the Governor's Emergency Order #12, pursuant to Executive Order 2020-04, as extended pursuant to Executive Order 2020-10, a public body is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to this meeting which was authorized pursuant to the Governor's Emergency Order.”

“However, in accordance with the Emergency Order, I am confirming that; 1) we are providing the public access to the meeting by telephone, with additional access possible by video or other electronic means. We are utilizing VAST Conference for this electronic meeting.”

“All Members of the Committee and the staff of State Agencies with agenda items have the ability to communicate contemporaneously during this meeting through platform and the public has access to contemporaneously listen and, if necessary, participate in this meeting by dialing the following number: 1-800-356-8278 and the six digit conference code 125563 followed by the pound (#) sign.”

“2) Providing public notice of the necessary information of the meeting, we previously gave notice to the public of the necessary information for accessing the meeting telephonically. Instructions have also been provided in the House and Senate calendar, the Fiscal Committee agenda, and the website of the Office of the Legislative Budget Assistant at <http://www.gencourt.state.nh.us/LBA/budget/fiscalcommittee.aspx>.”

“3) Providing the mechanism for the public to alert the public body during the meeting if there are problems with access. If anyone has a problem, please e-mail NHeoc@dos.nh.gov.”

“4) Adjourning the meeting if the public is unable to access the meeting and in the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.”

ATTENDANCE ROLL CALL:

The Chair announced the meeting would start by taking the roll of attendance and that Members state their presence, and state whether there was anyone in the room with them during the meeting as required under the Right-To-Know Law.

Representative Weyler, as clerk, called the Roll of voting members.

Representative Wallner – Present/at home in Concord, in room alone

Representative Ford – Present/at home in Easton, alone

Representative Weyler – Present/at home in Kingston, alone in room

Representative Hennessey (Alternate for Representative Ober) – Present/at home in Littleton with her two minor children

Representative Lovejoy (Alternate for Representative Leishman) – Present/at home in Stratham, alone in room

Senator D’Allesandro – Present/at home in Manchester, alone

Senate President Soucy – Present/at home in Manchester, alone

Senator Kahn – Present/in Keene, alone in room

Senator Rosenwald – Present/at home, alone

Senator Morse – Present/at his office in Atkinson, alone

ACCEPTANCE OF MINUTES:

On a motion by Representative Ford, seconded by Senator Soucy, that the minutes of the May 8, 2020 and May 28, 2020 meetings be accepted as written.

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

Representative Ford – Yes

Representative Weyler – Yes

Representative Hennessey (Alternate) – Yes

Representative Lovejoy (Alternate) – Yes

Senator D'Allesandro – Yes
Senate President Soucy – Yes
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Morse – Yes
Representative Wallner – Yes (10-Yes; 0-No)
MOTION ADOPTED.

OLD BUSINESS:

FIS 20-029 Department of Education – authorization through June 30, 2021 to; 1) accept and expend \$10,114,548 in federal funds and 2) establish two (2) full time temporary positions consisting of; a Program Specialist III (LG 23) and an Administrator I (LG 27). **Tabled 2/14/2020**. No Action Taken.

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

CONSENT CALENDAR

On a motion by Senator D'Allesandro, seconded by Senator Rosenwald, that the Committee approve the requests under this section as submitted. [FIS 20-105 Department of Safety – authorization to transfer \$5,000 in general/turnpike/ highway funds through June 30, 2020, FIS 20-107 Department of Transportation – authorization to transfer \$2,500,000 in federal/other funds between expenditure classes and subsequently establish new expense class 085 through June 30, 2021, FIS 20-109 Department of Transportation – authorization to transfer \$502,000 in federal/other/highway funds between various accounts and classes through June 30, 2021, and FIS 20-119 Judicial Council – authorization to transfer \$90,000 in general funds through June 30, 2020]

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

Representative Ford – Yes
Representative Weyler – Yes
Representative Hennessey (Alternate) – Yes
Representative Lovejoy (Alternate) – Yes
Senator D'Allesandro – Yes
Senate President Soucy – Yes
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Morse – Yes
Representative Wallner – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE:

CONSENT CALENDAR

On a motion by Senator D’Allesandro, seconded by Representative Hennessey, that the Committee approve the requests under this section as submitted. [FIS 20-101 Department of Environmental Services – authorization to budget and expend \$1,650,000 in prior year carry forward other funds through June 30, 2021, FIS 20-102 Department of Environmental Services – authorization to accept and expend \$243,368 in federal funds through March 31, 2021, FIS 20-108 Department of Transportation – authorization to accept and expend \$1,400,000 in other funds through June 30, 2021, FIS 20-113 Department of Administrative Services – authorization to accept and expend \$215,000 in federal funds through June 30, 2021, FIS 20-114 Department of Safety – authorization to accept and expend \$650,000 in federal funds through June 30, 2021, FIS 20-118 Department of Administrative Services – authorization to accept and expend \$101,000 in federal funds through June 30, 2021, and FIS 20-120 Department of Environmental Services – authorization to budget and expend \$450,000 in prior year carry forward other funds through June 30, 2021]

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

Representative Ford – Yes
Representative Weyler – Yes
Representative Hennessey (Alternate) – Yes
Representative Lovejoy (Alternate) – Yes
Senator D’Allesandro – Yes
Senate President Soucy – Yes
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Morse – Yes
Representative Wallner – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE, AND RSA 124:15 POSITIONS AUTHORIZED:

CONSENT CALENDAR

At the request of Senator Kahn, FIS 20-103 Department of Education was removed from the Consent Calendar.

On a motion by Representative Ford, seconded by Senator D’Allesandro, that the Committee approve the remaining request under this section as submitted. [FIS 20-117 Office of Professional Licensure and Certification – authorization to; 1) accept and expend \$956,640 in other funds retroactively from April 1, 2020 through June 30, 2021, and 2) subject to approval of Request #1, authorization to establish three (3) full-time temporary positions consisting of; two (2) Program Specialist I’s and one (1) Program Specialist III through June 30, 2021]

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

Representative Ford – Yes
Representative Weyler – Yes
Representative Hennessey (Alternate) – Yes
Representative Lovejoy (Alternate) – Yes
Senator D’Allesandro – Yes
Senate President Soucy – Yes
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Morse – Yes
Representative Wallner – Yes (10-Yes; 0-No)
MOTION ADOPTED.

FIS 20-103 Department of Education – Frank Edelblut, Commissioner, and Caitlin Davis, Director, Division of Education, Analytics and Resources, Department of Education responded to questions of the Committee.

On a motion by Senator Kahn, seconded by Representative Ford, that the Committee approve the request of the Department of Education through June 30, 2021 to; 1) accept and expend \$1,092,233 in federal grant funds, and 2) establish three (3) temporary full-time positions consisting of; a Technical Support Specialist VI (LG 32) and two (2) Systems Development Specialist VI (LG 30).

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

Representative Ford – Yes
Representative Weyler – Yes
Representative Hennessey (Alternate) – Yes
Representative Lovejoy (Alternate) – Yes
Senator D’Allesandro – Yes
Senate President Soucy – Yes
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Morse – Yes
Representative Wallner – Yes (10-Yes; 0-No)
MOTION ADOPTED.

The Committee requested the Department provide, when available to the public, the School Transition Reopening and Redesign Taskforce survey results and, also a report on the Elementary and Secondary Schools Emergency Relief (ESSER) grant funds distribution and usage which support the use of remote learning.

RSA 9:16-a, TRANSFERS AUTHORIZED, AND RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE, AND CHAPTER 346:223, LAWS OF 2019, TRANSFER OF FUNDS FOR OPERATION OF THE SUNUNU YOUTH SERVICES CENTER:

FIS 20-121 Department of Health and Human Services – Lori Shibinette, Commissioner, Kerrin Rounds, Chief Financial Officer, and Katja Fox, Director of Division for Behavioral Health, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Health and Human Services to transfer \$1,488,312 in general funds between various class lines, increase Federal revenues in the amount of \$1,756,431, and increase related Other revenues in the amount of \$22,801 and create new expenditure class codes through June 30, 2020.

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

Representative Ford – Yes
Representative Weyler – Yes
Representative Hennessey (Alternate) – Yes
Representative Lovejoy (Alternate) – Yes
Senator D’Allesandro – Yes
Senate President Soucy – Yes
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Morse – Yes
Representative Wallner – Yes (10-Yes; 0-No)
MOTION ADOPTED.

CHAPTER 346:46, LAWS OF 2019, DEPARTMENT OF CORRECTIONS; TRANSFER AUTHORITY:

FIS 20-106 Department of Corrections – Benjamin Jean, Assistant Commissioner, Department of Corrections responded to questions of the Committee. The agency submitted FIS 20-106 Additional Information prior to the meeting.

On a motion by Senator D’Allesandro, seconded by Senator Kahn, that the Committee approve the request of the Department of Corrections to transfer \$5,333,997 in general funds among accounts to reallocate appropriations and cover projected budget shortfalls in personnel classes through June 30, 2020.

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

Representative Ford – Yes
Representative Weyler – Yes
Representative Hennessey (Alternate) – Yes
Representative Lovejoy (Alternate) – Yes
Senator D’Allesandro – Yes
Senate President Soucy – Yes
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Morse – Yes
Representative Wallner – Yes (10-Yes; 0-No)
MOTION ADOPTED.

CHAPTER 346:328, I, LAWS OF 2019, DEPARTMENT OF SAFETY POSITION REALLOCATION; APPROPRIATION:

FIS 20-099 Department of Administrative Services – On a motion by Senator D’Allesandro, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Administrative Services of the appropriation of \$1,450,000 in general funds to the Department of Safety (DOS) effective the date of Fiscal Committee approval for the purpose of funding the results of a reallocation review conducted by the Department of Administrative Services (DAS) of the Trooper Job Classification series to be implemented effective January 1, 2021.

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

Representative Ford – Yes
Representative Weyler – Yes
Representative Hennessey (Alternate) – Yes
Representative Lovejoy (Alternate) – Yes
Senator D’Allesandro – Yes
Senate President Soucy – Yes
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Morse – Yes
Representative Wallner – Yes (10-Yes; 0-No)
MOTION ADOPTED.

MISCELLANEOUS:

None

INFORMATIONAL MATERIALS:

Kerrin Rounds, Chief Financial Officer, Department of Health and Human Services,

responded to questions of the Committee regarding FIS 20-124 Department of Health and Human Services – Pursuant to RSA 21-P:43, RSA 4:45, RSA 4:47 and Executive Order 2020-04 as extended by Executive Orders 2020-05 and further extended by Executive Order 2020-08, Governor Sununu has authorized the Department of Health and Human Services to accept and expend additional federal funds from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), in the amount of \$43,092,937 effective through June 30, 2021.

Lori Shabinette, Commissioner, and Katja Fox, Director of Division for Behavioral Health, Department of Health and Human Services, responded to questions of the Committee regarding FIS 20-125 Department of Health and Human Services – Chapter 346:221, Laws of 2019 – Report on Development of a 10-Year Plan for Mental Health Services relative to the statewide expansion of transitional housing beds for forensic patients and/or patients with complex behavioral health conditions including those transitioning from the New Hampshire Hospital.

The informational items were accepted and placed on file.

DATE OF NEXT MEETING AND ADJOURNMENT:

The Chair scheduled the next regular meeting of the Fiscal Committee for Friday, July 10, 2020 at 10:00 a.m. (Whereupon the meeting adjourned at 11:08 a.m.)

/s/ Ken Weyler

Representative Ken Weyler, Clerk