

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

January 15, 2021

The Fiscal Committee of the General Court met on Friday, January 15, 2021 at 10:00 a.m. via Zoom Webinar.

Members in attendance were as follows:

Representative Ken Weyler, Chairman
Representative Lynne Ober
Representative Peter Leishman
Representative Tracy Emerick
Representative Karen Umberger
Senate President Chuck Morse
Senator Bob Giuda
Senator Lou D'Allesandro
Senator Cindy Rosenwald
Senator Gary Daniels

The Zoom Webinar convened at 10:00 a.m., with the assistance of Michael Kane, Legislative Budget Assistant.

OFFICIAL AUDIO CONFERENCE MEETING PROCEDURES:

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

“As Chair of the Fiscal Committee of the General Court, I find that 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, this 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 have confirmed that we are; A) providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means. We are utilizing Zoom video webinar for this remote 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 this platform and the public has access to contemporaneously watch and/or listen to the meeting on Zoom or phone following the direction and links provided on the General Court web page at <http://gencourt.state.nh.us/schedule/dailyschedule.aspx> .”

“B) Providing public notice of the necessary information for accessing the meeting. We previously gave notice to the public of the necessary information for accessing the meeting. The instructions have been provided in the House and Senate Calendars, the Fiscal Committee

agenda, and the website of the Office of Legislative Budget Assistant.”

“C) Providing a 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 LBA_Fiscal@leg.state.nh.us.”

“D) Adjourning the meeting if the public is unable to access the meeting. If the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Please note that all votes taken during this meeting shall be done by roll call vote”

ATTENDANCE ROLL CALL:

The Chair called the meeting to order and asked Representative Umberger to call the Roll.

Requesting that Members acknowledge their presence, state their location and if others are present, Representative Umberger called the Roll of voting members.

Representative Weyler – Present/in Kingston, alone in room
Representative Ober – Present/home alone
Representative Emerick – Present/alone in his home office
Representative Leishman – Present/home alone in Peterborough
Representative Umberger – Present/at home and her husband is in the house and may wander in and out
Senator Daniels – Present/at home in Milford, alone
Senate President Morse – Present/in his office in Atkinson, alone
Senator Giuda – Present/at home, and his daughter and grandson are in the home
Senator Rosenwald – Present/at home in Nashua, currently alone
Senator D’Allesandro – Present/at home in Manchester, alone

ACCEPTANCE OF MINUTES:

On a motion by Representative Ober, seconded by Representative Emerick, that the minutes of the December 11, 2020 meeting be accepted as written.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Abstained

Senator Giuda – Abstained
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (8-Yes; 2-Abstained)
MOTION ADOPTED.

NEW BUSINESS:

RSA 9:16-c, I, TRANSFER OF FEDERAL GRANT FUNDS:
CONSENT CALENDAR

On a motion by Representative Ober, seconded by Senator D’Allesandro, that the Committee approve the request under this section as submitted. [FIS 21-018 Department of Transportation – authorization to transfer \$571,500 in federal funds between various classes through June 30, 2021]

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – 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

At the request of Senate, FIS 21-010 Department of Natural and Cultural Resources and FIS 21-011 Department of Education were removed from the Consent Calendar.

On a motion by Senator Rosenwald, seconded by Representative Ober, that the Committee approve the remaining requests under this section as submitted. [FIS 21-003 Department of Environmental Services – authorization to accept and expend \$180,324 in federal funds through June 30, 2021, FIS 21-004 Department of Justice – authorization to; 1) accept and expend \$628,472 in federal funds through June 30, 2021, FIS 21-005 Department of Corrections – authorization to accept and expend \$200,000 in other funds through June 30, 2021, FIS 21-007 Department of Business and Economic Affairs – authorization to accept and expend \$391,666 in federal funds through June 30,

2021, FIS 21-008 Department of Health and Human Services – authorization to accept and expend \$215,398 in federal funds through June 30, 2021, FIS 21-012 Department of Education – authorization to accept and expend \$500,000 in other funds through June 30, 2021, FIS 21-013 Department of Education – authorization to accept and expend \$500,000 in other funds through June 30, 2021, FIS 21-016 Department of Safety – authorization to accept and expend \$516,959 in federal funds through June 30, 2021, FIS 21-017 Department of Safety – authorization to accept and expend \$576,831 in federal funds through June 30, 2021, FIS 21-023 Office of Strategic Initiatives – authorization to accept and expend \$100,100 in federal funds through June 30, 2021, and FIS 21-024 Department of Education – authorization to retroactively amend FIS 19-159, approved July 25, 2019, by extending the end date from September 30, 2019 to June 30, 2021; to continue to award grants to schools for 50% of the cost of lead abatement]

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

FIS 21-010 Department of Natural and Cultural Resources – Christopher Marino, Chief of Administration, and Patrick Hackley, Director, Division of Forests and Lands, Department of Natural and Cultural Resources, responded to questions of the Committee.

On a motion by Senator Giuda, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Natural and Cultural Resources to accept and expend \$2,600,000 in federal funds through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes

Senator D'Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

FIS 21-011 Department of Education – Frank Edelblut, Commissioner, Department of Education responded to questions of the Committee. Kerrin Rounds, Chief Financial Officer, Department of Health and Human Services was also available to respond to questions.

On a motion by Senator Giuda, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Education to accept and expend \$154,000 in other funds through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D'Allesandro – Yes
Representative Weyler – 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 9:16-c, I, TRANSFER OF FEDERAL GRANT FUNDS:
CONSENT CALENDAR

On a motion by Representative Ober, seconded by Representative Emerick, that the Committee approve the request under this section as submitted. [FIS 21-002 Department of Environmental Services – authorization through June 30, 2021 to; 1) accept and expend \$158,706 in federal funds, and 2) transfer \$66,033 in federal funds between classes]

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes

Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

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 21-026 Department of Health and Human Services – Joseph Ribsam, Director, Division of Children, Youth and Families, and Kerrin Rounds, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Giuda, that the Committee approve the request of the Department of Health and Human Services to transfer general funds in the amount of \$16,381,020 between various class lines, decrease Federal revenues in the amount of \$489,783, decrease related Other revenues in the amount of \$92,188 and create new expenditure class codes through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 177:2, CLOSING OF STATE STORES:

FIS 21-020 New Hampshire Liquor Commission – Joseph Mollica, Chairman, New Hampshire Liquor Commission responded to questions of the Committee.

The Committee requested how long the closing stores had previously been open.

On a motion by Representative Ober, seconded by Senator Rosenwald, that the Committee approve the request of the New Hampshire Liquor Commission for approval of the Indirect Cost Allocation Plan for State Fiscal Year 2020 and informing the Committee of the closing of seven state liquor stores.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 228:12, TRANSFERS FROM HIGHWAY SURPLUS ACCOUNT:

FIS 21-019 Department of Transportation – Victoria Sheehan, Commissioner, and Marie Mullen, Director of Finance, Department of Transportation, responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Representative Ober, that the Committee approve the request of the Department of Transportation to transfer \$4,467,900 in highway funds from the Highway Surplus Account to fund winter maintenance activities through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

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

FIS 21-006 Department of Corrections – Helen Hanks, Commissioner, Department of Corrections responded to questions of the Committee. Robin Maddaus, Director of Administration was also available.

On a motion by Senator D’Allesandro, seconded by Representative Leishman, that the Committee approve the request of the Department of Corrections to transfer \$3,990,802 in general funds among accounts to reallocate appropriations and cover overtime shortfalls through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

MISCELLANEOUS:

None

INFORMATIONAL MATERIALS:

At the request of Senator Rosenwald, Kerrin Rounds, Chief Financial Officer, and Joseph Ribsam, Director, Division of Children, Youth and Families, Department of Health and Human Services, responded to questions of the Committee regarding FIS 21-025 Department of Health and Human Services – Operating Statistics Dashboard SFY21 report through November 30, 2020.

AUDITS:

State of New Hampshire, Comprehensive Annual Financial Report, For The Fiscal Year Ended June 30, 2020 – Stephen Smith, Director of Audits, Audit Division, Office of Legislative Budget Assistant and Brock Romano, Audit Partner, KPMG, and Karen Farrell, Manager, KPMG, presented the report and responded to questions of the Committee. Joseph Bouchard,

Assistant Commissioner, and Dana Call, State Comptroller, Department of Administrative Services, were also present to respond to Committee questions.

This report was accepted, placed on file, and released at the December 11, 2020 meeting of the Fiscal Committee.

State of New Hampshire, Department of Transportation, Turnpike System, Annual Financial Report, For the Fiscal Year Ended June 30, 2020 – Stephen Smith, Director of Audits, Audit Division, Office of Legislative Budget Assistant and Scott Warnetski, Audit Partner, KPMG, and Karen Farrell, Manager, KPMG, presented the report and responded to questions of the Committee. Christopher Waszczuk, Assistant Commissioner, and Marie Mullen, Director of Finance, Department of Transportation, were also present to respond to Committee questions.

This report was accepted, placed on file, and released at the December 11, 2020 meeting of the Fiscal Committee.

2020 Comprehensive Annual Financial Report, New Hampshire Liquor Commission, A Department of the State of New Hampshire – Stephen Smith, Director of Audits, and James LaRiviere, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Joseph Mollica, Chairman, and Tina Demers, Chief Financial Officer, New Hampshire Liquor Commission, were also present to respond to Committee questions.

This report was accepted, placed on file, and released at the December 11, 2020 meeting of the Fiscal Committee.

Comprehensive Annual Financial Report, For the Fiscal Year Ended June 30, 2020, New Hampshire Lottery Commission, A Department of the State of New Hampshire – Stephen Smith, Director of Audits, and Kimberly Bisson, Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Charles McIntyre, Executive Director, and Jim Duris, Chief Financial Officer, New Hampshire Lottery Commission, were also present to respond to Committee questions.

This report was accepted, placed on file, and released at the December 11, 2020 meeting of the Fiscal Committee.

State of New Hampshire, Department of Health and Human Services, New Hampshire Hospital, Financial Audit Report, For The Nine Months Ended March 31, 2019 – Stephen Smith, Director of Audits, and James LaRiviere, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Lori Shibinette, Commissioner, Department of Health and Human Services, and Joseph Caristi, Chief Financial Officer, New Hampshire Hospital, were also present to respond to Committee questions.

On a motion by Senator Giuda, seconded by Representative Leishman, that the Committee request 90-day reports in place of 6 month reports from New Hampshire Hospital.

Upon further discussion and the guarantee that New Hampshire Hospital will start work on a contract amendment, Senator Giuda and Representative Leishman, respectively, withdrew their motion.

This report was accepted, placed on file, and released at the November 20, 2020 meeting of the Fiscal Committee.

DATE OF NEXT MEETING AND ADJOURNMENT:

The Chair scheduled the next regular meeting of the Fiscal Committee for Friday, February 19, 2021 at 10:00 a.m.

On a motion by Representative Weyler, seconded by Senator D'Allesandro, that the meeting adjourn, whereupon the Committee adjourned by consensus at 12:18 p.m.


Representative Karen Umberger, Clerk