

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

June 14, 2019

The Fiscal Committee of the General Court met on Friday, June 14, 2019 at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Mary Jane Wallner, Chairman  
Representative Ken Weyler  
Representative Susan Ford  
Representative Lynne Ober  
Representative Peter Leishman  
Representative Patricia Lovejoy (Alternate)  
Representative David Huot (Alternate)  
Representative Erin Hennessey (Alternate)  
Senate President Donna Soucy  
Senator Dan Feltes  
Senator Lou D'Allesandro  
Senator Cindy Rosenwald  
Senator Chuck Morse

Chairman Wallner opened the meeting at 10:02 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator D'Allesandro, seconded by Senator Soucy, that the minutes of the May 10, 2019 meeting be accepted as written. MOTION ADOPTED. (9-Yes, 1-Abstained)

OLD BUSINESS:

FIS 19-071 NH Business Finance Authority – pursuant to RSA 162-T:5, Informational status report pertaining to the Regenerative Workforce Development Program. Held for future discussion 03/08/19. No Action Taken.

NEW BUSINESS:

RSA 9:16-a, TRANSFERS AUTHORIZED:

CONSENT CALENDAR

On a motion by Representative Ober, seconded by Senator D'Allesandro, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 19-120 Department of Health and Human Services – authorization to transfer \$50,000 in general funds between class lines through June 30, 2019, FIS 19-121 Department of Safety – authorization to transfer

\$444,000 in general/highway/ turnpike/other funds through June 30, 2019, FIS 19-122 Department of Transportation – authorization to transfer \$9,100 in turnpike funds between various accounts and classes through June 30, 2019, FIS 19-123 Department of Transportation – authorization to transfer \$300,687 in highway funds between various accounts and classes through June 30, 2019, and FIS 19-138 Department of Agriculture, Markets & Food – authorization to transfer \$35,000 in federal funds between classes and to create new expenditure classes through June 30, 2019]

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 Senator Rosenwald, item FIS 19-141 Department of Health and Human Services was removed from the Consent Calendar.

On a motion by Representative Ober, seconded by Representative Ford, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 19-124 Department of Environmental Services – authorization to budget and expend \$20,000 in other prior year carry forward funds through June 30, 2019, FIS 19-125 Department of Health and Human Services – authorization to accept and expend \$24,535,789 in additional federal funds and decrease the County ProShare agency income in the amount of \$6,736,035 through June 30, 2019, FIS 19-126 State Treasury – authorization to accept and expend up to \$300,000 in other funds through June 30, 2019, and FIS 19-127 Department of Transportation – authorization to accept and expend two grants for a total of \$15,000,000 in federal funds through June 30, 2019]

FIS 19-141 Department of Health and Human Services – Jeffrey Meyers, Commissioner, Kerrin Rounds, Chief Financial Officer, and Katja Fox, Director, Division of Behavioral Health, Department of Health and Human Services presented a handout, the request and responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Representative Leishman, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$35,267,411 in federal funds through June 30, 2020. No Action Taken.

At the request of Senator Feltes, the Committee recessed at 10:32 a.m. and reconvened at 10:39 a.m.

Senator D’Allesandro and Representative Leishman, respectively, withdrew the motion to approve the request of the Department of Health and Human Services.

On a motion by Senator Feltes, seconded by Representative Ober, that the Committee **amend** and approve the request of the Department of Health and Human Services, Division for Behavioral Health, Bureau of Drug and Alcohol Services, **through the end of July 2019 pro rata** to accept and expend federal State Opioid Response Grant funds from the Substance Abuse and Mental Health Services Administration. MOTION ADOPTED.

The Committee requested the Department return in July for further approval should the budget not pass.

RSA 215-A:23, IX AND RSA 215-C:39, X REGISTRATION FEES:

FIS 19-139 Department of Natural and Cultural Resources – On a motion by Senator D’Allesandro, seconded by Representative Ober, that the Committee approve the request of the Department of Natural and Cultural Resources to accept and expend \$900,000 in FY 2019 of Excess Registration Fees from the Fish and Game Department through June 30, 2019. MOTION ADOPTED.

RSA 228:69, I (b), APPROPRIATION AND USE OF SPECIAL RAILROAD FUND:

FIS 19-128 Department of Transportation – Marie Mullen, Director of Finance, Department of Transportation, presented the request and responded to questions of the Committee.

On a motion Representative Ober, with no second, that the Committee table the request of the Department of Transportation to enter into agreements with Railroad Operators, for an amount not to exceed \$1,393,626 in other funds from the Special Railroad Fund for the maintenance and repair of State-owned railroad lines for the period of July 1, 2019 through June 30, 2021, contingent upon the availability of funds in FY 2020 and FY 2021. No Action Taken.

On a motion Senator D’Allesandro, seconded by Senator Feltes, that the Committee approve the request of the Department of Transportation to enter into agreements with Railroad Operators, for an amount not to exceed \$1,393,626 in other funds from the Special Railroad Fund for the maintenance and repair of State-owned railroad lines for the period of July 1, 2019 through June 30, 2021, contingent upon the availability of funds in FY 2020 and FY 2021. MOTION ADOPTED. (8-Yes, 1-No and 1-Abstained)

RSA 604-A: 1-b, ADDITIONAL FUNDING:

FIS 19-129 Judicial Council – On a motion by Representative Ober, seconded by Senator Soucy, that the Committee approve the request of the Judicial Council to receive an additional appropriation from funds not otherwise appropriated in the amount of \$265,000 in general funds through June 30, 2019. MOTION ADOPTED.

CHAPTER 155, LAWS OF 2017, DEPARTMENT OF ADMINISTRATIVE SERVICES;  
BUDGET FOOTNOTE:

FIS 19-140 Department of Administrative Services – On a motion by Representative Leishman, seconded by Representative Ober, that the Committee approve the request of the Department of Administrative Services requesting a warrant be drawn from money in the

Treasury not otherwise appropriated in the amount of \$100,000 in general funds through June 30, 2019. MOTION ADOPTED.

CHAPTER 156:13, LAWS OF 2017, JUDICIAL BRANCH; TRANSFER AMONG ACCOUNTS AND CLASSES:

FIS 19-130 Administrative Office of the Courts – Christopher Keating, Director, and Donna Raymond, Fiscal Manager, Administrative Office of the Courts, responded to questions of the Committee.

On a motion by Representative Leishman, seconded by Senator D’Allesandro, that the Committee approve the request of the Administrative Office of the Courts to transfer \$105,000 in general funds between expenditure classes through June 30, 2019. MOTION ADOPTED. (7-Yes, 3-No)

CHAPTER 163:9, LAWS OF 2018, DEPARTMENT OF ADMINISTRATIVE SERVICES; TRANSFER AUTHORITY; CONSOLIDATION OF HUMAN RESOURCES AND PAYROLL FUNCTIONS:

FIS 19-131 Department of Administrative Services – On a motion by Representative Ober, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Administrative Services to transfer \$45,000 in other funds through June 30, 2019. MOTION ADOPTED.

LATE ITEMS:

FIS 19-142 Department of Justice – Jane Young, Deputy Attorney General, Diane Martin, Chief of Staff, and Chris Aslin, Senior Assistant Attorney General, Department of Justice, presented the request and responded to questions of the Committee.

On a motion by Representative Ober, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Justice to obligate the State to pay non-state attorneys on a contingency fee basis, such contingency fee to be paid from any award of damages the State may obtain from the per- and polyfluoroalkyl substances (PFAS) litigation, effective upon approval of the Fiscal Committee and the Governor and Executive Council. MOTION ADOPTED.

FIS 19-143 Office of The Governor – On a motion by Representative Ober, seconded by Senator D’Allesandro, that the Committee approve the request of the Office of The Governor to; 1) repurpose funds already authorized for expenditures from the Public School Infrastructure Fund in the amount of \$1,121,258 in general funds, and 2) contingent upon the availability of funds remaining from closed projects previously approved, request approval to repurpose funds already authorized for expenditures from the Public School Infrastructure Funds in the amount of \$617,035 in general funds. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Therapeutic Cannabis Program, Identification Card Timeliness, Performance Audit Report, June 2019 – Stephen Smith, Director of Audits, and John Clinch, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Patricia Tilley, Director, Division of Public Health, and Michael Holt, Program Administrator, Department of Health and Human Services were also present to respond to questions of the Committee.

On a motion by Representative Weyler, seconded by Representative Ober, that the report be accepted, placed on file, and released in the usual manner. MOTION ADOPTED.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next regular meeting of the Fiscal Committee was scheduled, subject to change, for Thursday, July 25, 2019 at 10:00 a.m. (Whereupon the meeting adjourned at 11:15 a.m.)

  
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Representative Ken Weyler, Clerk