

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

January 10, 2020

The Fiscal Committee of the General Court met on Friday, January 10, 2020 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 David Huot (Alternate)
Representative Erin Hennessey (Alternate)
Representative Patricia Lovejoy (Alternate)
Senator Lou D'Allesandro
Senator Dan Feltes (Alternate)
Senator Chuck Morse
Senator Jay Kahn
Senator Cindy Rosenwald

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

ACCEPTANCE OF MINUTES:

On a motion by Senator D'Allesandro, seconded by Representative Ober, that the minutes of the December 13, 2019 meeting be accepted as written. MOTION ADOPTED.

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 request under this section as submitted. MOTION ADOPTED. [FIS 20-002 Department of Health and Human Services – authorization to transfer \$115,000 in general funds within various class lines through June 30, 2020]

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:

CONSENT CALENDAR

On a motion by Representative Ober, seconded by Senator Rosenwald, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 20-001 Department of Transportation – authorization through June 30, 2020 to; 1) transfer \$5,000,000 in highway funds between various accounts and classes and 2) accept and expend \$2,106,165 in federal funds]

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 the Committee, FIS 20-003 New Hampshire Employment Security, FIS 20-004 and FIS 20-005 Office of Professional Licensure and Certification were removed from the Consent Calendar.

On a motion by Senator D’Allesandro, seconded by Representative Ober, that the Committee approve the remaining request under this section as submitted. MOTION ADOPTED. [FIS 20-016 Department of Health and Human Services – authorization to budget and expend \$1,113,509 in prior year carry forward federal funds through June 30, 2020]

FIS 20-003 New Hampshire Employment Security – Richard Lavers, Deputy Commissioner, and Jill Revels, Business Administrator, New Hampshire Employment Security were present to responded to questions of the Committee.

With no objection, the item was laid on the table in order to allow Senator Kahn to be present.

The Chair announced that FIS 20-010 Department of Information Technology, under Tab 7 (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) would be removed from the Consent Calendar and taken up with item FIS 20-004 Office of Professional Licensure and Certification.

On a motion Representative Ober, seconded by Senator D’Allesandro, that FIS 20-010 Department of Information Technology, under Tab 7, be removed from the Consent Calendar. MOTION ADOPTED.

FIS 20-004 Office of Professional Licensure and Certification and FIS 20-010 Department of Information Technology – David Grosso, Executive Director, Office of Professional Licensure and Certification, and Denis Goulet, Commissioner, Department of Information Technology presented the requests and responded to questions of the Committee.

On a motion by Representative Ober, seconded by Senator D’Allesandro, that the Committee approve both requests as submitted **with the provision that the Committee receive a written progress report from the two departments at the end of the fiscal year.** MOTION

ADOPTED. [FIS 20-004 Office of Professional Licensure and Certification - authorization to accept and expend other funds in the amount of \$61,477 in SYF 2020 and \$206,948 in SFY 2021 through June 30, 2021 and FIS 20-010 Department of Information Technology – authorization through June 30, 2021 to; 1) accept and expend other funds in the amount of \$61,477 in SFY 2020 and \$206,948 in SFY 2021, and 2) contingent upon approval of Request #1, establish two (2) full-time temporary positions consisting of; one (1) Information Technology Manager III (LG 31) and one (1) Business Systems Analyst I (LG 28)]

FIS 20-005 Office of Professional Licensure and Certification – David Grosso, Executive Director, Office of Professional Licensure and Certification responded to questions of the Committee.

On a motion by Representative Ober, seconded by Senator D’Allesandro, that the Committee table the request of the Office of Professional Licensure and Certification seeking authorization to accept and expend \$184,680 in other funds through June 30, 2020. MOTION ADOPTED.

The Committee tabled the request of the Office of Professional Licensure and Certification in order to allow them time to answer Committee questions at the next meeting regarding the increase in salary pay.

FIS 20-003 New Hampshire Employment Security (continued) – Richard Lavers, Deputy Commissioner, and Jill Revels, Business Administrator, New Hampshire Employment Security presented the request and responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Representative Ober, that the item be removed from the table. MOTION ADOPTED.

On a motion by Senator Kahn, seconded by Representative Ober, that the Committee approve the request of New Hampshire Employment Security to accept and expend \$400,000 in other funds through June 30, 2020. MOTION ADOPTED.

RSA 124:15 POSITIONS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator D’Allesandro, seconded by Representative Ober, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 20-008 Department of Information Technology – authorization to; 1) establish Class 046 consultant positions through June 30, 2021]

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 the Committee, FIS 20-007 Department of Education was 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. MOTION ADOPTED. [FIS 20-009 Department of Health and Human Services – authorization through June 30, 2020 to; 1) accept and expend \$1,774,953 in federal funds, and 2) contingent upon approval of Request #1, increase Class 046 consultant positions, and FIS 20-018 New Hampshire Employment Security – authorization through June 30, 2021 to; 1) accept and expend \$2,886,942 in other funds, and 2) contingent upon approval of Request #1, establish additional temporary part-time positions]

FIS 20-007 Department of Education – Frank Edelblut, Commissioner, and Caitlin Davis, Director, Department of Education presented the request and responded to questions of the Committee.

On a motion by Senator Feltes, seconded by Representative Leishman, that the Committee deny the request of the Department of Education 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).

At the request of The Chair, a roll call was taken, and the results were as follows:

Representative Leishman – Yes
Representative Ford – Yes
Representative Weyler – No
Representative Ober – No
Representative Wallner – Yes
Senator D’Allesandro – Yes
Senator Feltes (Alternate) – Yes
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Morse – No (7-Yes; 3-No)
MOTION ADOPTED.

The Committee recessed at 11:03 a.m., and reconvened at 11:09 a.m.

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 7:12 ASSISTANTS:

FIS 20-006 Department of Justice – Gordon MacDonald, Attorney General, Anne Edwards, Associate Attorney General, and Kathleen Carr, Director of Administration, Department of Justice, presented the request and responded to questions of the Committee. A handout was also distributed to the Committee.

On a motion by Representative Ober, seconded by Representative Weyler, that the Committee approve the request of the Department of Justice through June 30, 2020 to; 1) budget and expend \$420,309 in other funds, and 2) contingent upon approval of Request #1, accept and expend a sum not to exceed \$777,321 in general funds from funds not otherwise appropriated for the purpose of covering projected shortfalls in general litigation expenses incurred in the defense of the State and the prosecution of criminal laws. No Action Taken.

Representative Ober and Representative Weyler, respectively, withdrew the motion to approve the request of the Department of Justice.

On a motion by Senator D’Allesandro, seconded by Representative Leishman, that the Committee divide the request of the Department of Justice. MOTION ADOPTED.

On a motion by Representative Ober, seconded by Senator D’Allesandro, that the Committee approve Request #1 of the Department of Justice through June 30, 2020 to; 1) budget and expend \$420,309 in other funds. MOTION ADOPTED.

On a motion by Senator D’Allesandro, seconded by Representative Leishman, that Request #2 of the Department of Justice to accept and expend a sum not to exceed \$777,321 in general funds from funds not otherwise appropriated for the purpose of covering projected shortfalls in general litigation expenses incurred in the defense of the State and the prosecution of criminal laws **be reduced to \$300,000**. No Action Taken.

On a motion by Representative Ober, seconded by Representative Weyler, that the Committee **amend the previous motion and approve as** is Request #2 of the Department of Justice through June 30, 2020 to; 2) contingent upon approval of Request #1, accept and expend a sum not to exceed \$777,321 in general funds from funds not otherwise appropriated for the purpose of covering projected shortfalls in general litigation expenses incurred in the defense of the State and the prosecution of criminal laws.

At the request of Representative Weyler, a roll call was taken, and the results were as follows:

Representative Leishman – No
Representative Ford – No
Representative Weyler – Yes

Representative Ober – Yes
Representative Wallner – No
Senator D’Allesandro – No
Senator Feltes (Alternate) – No
Senator Kahn – No
Senator Rosenwald – No
Senator Morse – Yes
MOTION FAILED. (3-Yes; 7-No)

On a motion by Senator D’Allesandro, seconded by Representative Leishman, that the Committee **amend** and approve Request #2 of the Department of Justice through June 30, 2020 to; 2) contingent upon approval of Request #1, accept and expend a sum not to exceed **\$300,000, a reduction from the \$777,321 originally requested**, in general funds from funds not otherwise appropriated for the purpose of covering projected shortfalls in general litigation expenses incurred in the defense of the State and the prosecution of criminal laws.

At the request of Representative Weyler, a roll call was taken, and the results were as follows:

Representative Leishman – Yes
Representative Ford – Yes
Representative Weyler – No
Representative Ober – No
Senator D’Allesandro – Yes
Senator Feltes (Alternate) – Yes
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Morse – No
Representative Wallner – Yes
MOTION ADOPTED. (7-Yes; 3-No)

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

FIS 20-011 Department of Corrections – On a motion by Representative Leishman, seconded by Representative Ford, that the Committee approve the request of the Department of Corrections to transfer \$4,262,049 in general funds among accounts to reallocate appropriations and cover overtime shortfalls through June 30, 2020. MOTION ADOPTED.

MISCELLANEOUS:

On a motion by Senator Feltes, seconded by Senator Kahn, that the Committee adopt a policy that the Office of Legislative Budget Assistant shall not accept a request to place an item

on the Fiscal Committee agenda that is the same, essentially the same, or substantially similar to an agenda item that has been previously denied. No Action Taken.

Senator Feltes and Senator Kahn, respectively, withdrew the motion to adopt a Committee policy pertaining to previously denied requests in order to allow the Committee time to discuss the proposed policy.

INFORMATIONAL MATERIALS:

FIS 20-017 Office of The Governor – Chapter 345, Laws of 2019 – Kerrin Rounds, Interim Commissioner, Department of Health and Services, responded to questions of Committee pertaining to the informational plan, dated December 26, 2019, on how the Department of Health and Human Services will reduce General Fund expenditures during the biennium. David Bettencourt, Policy Director, Governor’s Office was also present.

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Comprehensive Annual Financial Report, For Fiscal Year Ended June 30, 2019 – Stephen Smith, Director of Audits, Audit Division, Office of Legislative Budget Assistant, Brock Romano, Partner, and Jen Renaud, Senior Audit Manager, KPGM, presented the report and responded to questions of the Committee. Charles Arlinghaus, Commissioner, and Dana Call, State Comptroller, Department of Administrative Services were present to respond to questions of the Committee.

This report was accepted, placed on file and released at the December 13, 2019 meeting of the Fiscal Committee.

State of New Hampshire, Department of Transportation, Turnpike System, Annual Financial Report, For the Fiscal Year Ended June 30, 2019 – Stephen Smith, Director of Audits, Audit Division, Office of Legislative Budget Assistant, Scott Warnetski, Partner, and Karen Farrell, Senior Audit Manager, KPGM, presented the report and responded to questions of the Committee. Marie Mullen, Director of Finance, Department of Transportation was present to respond to questions of the Committee.

This report was accepted, placed on file and released at the December 13, 2019 meeting of the Fiscal Committee.

Comprehensive Annual Financial Report, For the Fiscal Year Ended June 30, 2019, 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 James Duris, Chief Financial Officer, New Hampshire Lottery

Commission, were present to respond to questions of the Committee.

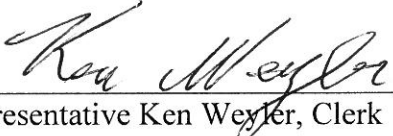
This report was accepted, placed on file and released at the December 13, 2019 meeting of the Fiscal Committee.

2019 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, Tina Demers, Chief Financial Officer, and Rosemary Wiant, Director of Administration, New Hampshire Liquor Commission, were present to respond to questions of the Committee.

This report was accepted, placed on file and released at the December 13, 2019 meeting of the Fiscal Committee.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next regular meeting of the Fiscal Committee was scheduled for Friday, February 14, 2020 at 10:00 a.m. (Whereupon the meeting adjourned at 1:04 p.m.)



Representative Ken Weyler, Clerk