

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
March 18, 2022

The Fiscal Committee of the General Court met on Friday, March 18, 2022, at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Karen Umberger, Chairman
Representative Tracy Emerick
Representative Jess Edwards
Representative Keith Erf
Representative Mary Jane Wallner (Alternate)
Representative Bob Lynn (Alternate)
Representative Joseph Pitre (Alternate)
Senator Gary Daniels
Senator James Gray (Alternate)
Senator Bob Giuda
Senator Cindy Rosenwald

The Chair called the meeting to order at 10:08 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator Daniels, seconded by Senator Giuda, that the Committee approve the minutes of the February 18, 2022 meeting. MOTION ADOPTED. (8-Yes; 1-Abstained)

OLD BUSINESS:

FIS 22-023 Department of Health and Human Services – authorization to accept and expend \$350,000 in other funds through June 30, 2023. Tabled 01/21/2022. No Action Taken.

NEW BUSINESS:

RSA 14:30-a, III AUDIT TOPIC RECOMMENDATION BY LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE:

FIS 22-112 Letter from Senator John Reagan, Vice Chair of the Legislative Performance Audit and Oversight Committee – On a motion by Representative Emerick, that the Committee approve the recommendation of the Legislative Performance Audit and Oversight Committee of the following performance audit topic: the efficiency and effectiveness of the Weatherization Assistance Program operated by the NH Department of Energy. MOTION ADOPTED.

CONSENT CALENDAR

As announced by the Chair, the following items were removed from the Consent Calendar to be acted on individually;

Tab 7 Pursuant to RSA 14:30-A, VI.
FIS 22-098, 22-100

Tab 9 Pursuant to ARPA RSA 14:30-a, VI.
FIS 22-088, 22-099, 22-113, 22-116

Tab 10 Pursuant to ARPA RSA 14:30-a, VI. and RSA 124:15
FIS 22-117

On a motion by Senator Rosenwald, seconded by Senator Giuda, that the Committee approve the remaining requests under the Consent Calendar as submitted. [TAB 4 pursuant to RSA 9:16-a, II, FIS 22-094 Police Standards and Training Council – authorization to transfer \$245,895 in general funds between various accounting units and classes through June 30, 2022, FIS 22-095 Department of Transportation – authorization to transfer \$1,595,000 in Highway funds between various accounting units and classes through June 30, 2023, and FIS 22-109 Department of Transportation – authorization to transfer \$1,767,478 in Turnpike funds between various classes in Turnpike’s Toll Collection through June 30, 2022; TAB 5 pursuant to RSA 9:16-a, I and RSA 14:30-a, VI., FIS 22-097 Department of Health and Human Services – authorization through June 30, 2023 to; 1) reduce general funds of \$4,200,000 and matching federal funds of \$4,204,200, and 2) contingent upon approval of Request #1, transfer \$4,200,000 in general funds, and 3) contingent upon approval of Request #2, accept and expend additional federal funds in the amount of \$7,807,800; TAB 6 pursuant to RSA 9:16-c, I, FIS 22-096 Department of Education – authorization to transfer federal grant funds in the amount of \$69,700 in FY22 and \$81,700 in FY23 through June 30, 2023; TAB 7 pursuant to RSA 14:30-a, VI., FIS 22-087 Department of Business and Economic Affairs – authorization to amend FIS 21-198, approved August 3, 2021, by reallocating \$132,633 in federal funds through June 30, 2023; TAB 8 pursuant to RSA 14:30-a, VI. and RSA 124:15, FIS 22-104 Department of Justice – authorization through June 30, 2023 to; 1) accept and expend \$375,000 in federal funds, and 2) contingent upon approval of Request #1, authorization to establish one (1) temporary full-time Program Specialist IV position; TAB 9 pursuant to ARPA RSA 14:30-a, VI., FIS 22-089 Department of Health and Human Services – authorization to accept and expend \$449,760 in federal funds as mandated by the American Rescue Plan Act through June 30, 2023, FIS 22-101 Department of Transportation – authorization through June 30, 2022 to; 1) accept and expend a grant retroactive from January 20, 2020 in the amount of \$730,180 in federal American Rescue Plan Act (ARPA) funds administered via the Federal Aviation Administration to cover airport concessions expenses at the Manchester-Boston Regional Airport, FIS 22-111 Department of Environmental Services – authorization to amend FIS 21-138, approved June 8, 2021, by transferring \$10,000,000 in federal funds between class lines through June 30, 2023, FIS 22-114 Department of Information Technology – authorization to accept and expend \$6,744,385 in federal American Rescue Plan (ARP) State and Local Fiscal Recovery Funds (SFRF) through June 30, 2023, and FIS 22-115 Governor’s Office for Emergency Relief and Recovery – authorization to accept and expend \$963,463 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2023; and TAB 10 pursuant to ARPA RSA 14:30-a, VI. and RSA 124:15, FIS 22-102 Department of Health and Human Services – authorization through June 30, 2023 to; 1) accept and expend \$1,110,992 in federal funds as mandated by the American Rescue Plan, and 2) contingent upon approval of Request #1, continue one (1) full-time temporary Healthcare Associated Infections Health Educator position, and FIS 22-103 Department of Health and Human Services – authorization through June 30, 2023 to; 1) accept

and expend \$1,000,000 in federal funds as mandated by the American Rescue Plan, and 2) contingent upon approval of Request #1, continue five (5) full-time temporary Program Specialist IV positions]

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

Representative Edwards – Yes
Representative Emerick – Yes
Representative Erf – Yes
Representative Wallner (Alternate) – Yes
Senator Daniels – Yes
Senator Gray (Alternate) – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Representative Umberger – Yes (9-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

FIS 22-098 Department of Education – Frank Edelblut, Commissioner, and Kelly Rambeau, Administrator, Office of Nutrition Programs and Services, Department of Education responded to questions of the Committee.

On a motion by Senator Daniels, seconded by Representative Edwards, that the Committee approve the request of the Department of Education to accept and expend \$2,794,943 in federal funds through June 30, 2023.

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

Representative Edwards – Yes
Representative Emerick – Yes
Representative Erf – Yes
Representative Wallner (Alternate) – Yes
Senator Daniels – Yes
Senator Gray (Alternate) – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Representative Umberger – Yes (9-Yes; 0-No)
MOTION ADOPTED.

FIS 22-100 Department of Health and Human Services – Kerrin Rounds, Chief Financial Officer, and Melissa St. Cyr, Chief Legal Officer, Department of Health and Human Services responded to questions of the Committee.

On a motion by Representative Edwards, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$254,146 in federal CARES Act funds through September 30, 2022.

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

Representative Edwards – Yes
Representative Emerick – Yes
Representative Erf – Yes
Representative Wallner (Alternate) – Yes
Senator Daniels – Yes
Senator Gray (Alternate) – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Representative Umberger – Yes (9-Yes; 0-No)
MOTION ADOPTED.

DEPARTMENT OF ADMINISTRATIVE SERVICES UPDATE:

Charles Arlinghaus, Commissioner, Department of Administrative Services, updated the Committee on the status of hiring three (3) Human Resource positions as approved by the Committee on February 18, 2022 (FIS 22-081). The Department was asked to return in April for a further update.

Kerrin Rounds, Chief Financial Officer, Department of Health and Human Services was also present to respond to questions.

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

FIS 22-088 Department of Health and Human Services – Kerrin Rounds, Chief Financial Officer, and Iain Watt, Deputy Director, Division of Public Health Services, Department of Health and Human Services responded to questions of the Committee.

On a motion by Representative Edwards, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$200,000 in federal funds as mandated by the American Rescue Plan Act through June 30, 2023.

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

Representative Edwards – Yes
Representative Emerick – Yes
Representative Erf – Yes
Representative Wallner (Alternate) – Yes
Senator Daniels – Yes
Senator Gray (Alternate) – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Representative Umberger – Yes (9-Yes; 0-No)
MOTION ADOPTED.

FIS 22-099 Department of Health and Human Services – Kerrin Rounds, Chief Financial Officer, and Iain Watt, Deputy Director, Division of Public Health Services, Department of Health and Human Services responded to questions of the Committee.

Senator Rosenwald questioned if the Veterans Home would be included under the project funding the Nursing Home and Long-term Care Facility Strike Team and Infrastructure Project as mandated by the American Rescue Plan, to which the Department responded they would get that information back to the Committee.

Representative Erf questioned how many nursing homes participated, both county and private, and how cost effective has the program been in terms of getting patients out of the hospital into a nursing home, and once the strike teams have left, in being able to continue to provide services, to which the Department responded that they were preparing the information to provide to the Committee.

On a motion by Representative Erf, seconded by Representative Edwards, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$2,689,378 in federal funds as mandated by the American Rescue Plan Act through June 30, 2023.

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

Representative Edwards – Yes
Representative Emerick – Yes
Representative Erf – Yes

Representative Wallner (Alternate) – Yes
Senator Daniels – Yes
Senator Gray (Alternate) – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Representative Umberger – Yes (9-Yes; 0-No)
MOTION ADOPTED.

FIS 22-113 Department of Health and Human Services – Kerrin Rounds, Chief Financial Officer, and Iain Watt, Deputy Director, Division of Public Health Services, Department of Health and Human Services responded to questions of the Committee. Charles Arlinghaus, Commissioner, Department of Administrative Services was also present to responded to questions.

The Committee questioned if the Department went out to bid for the leased property, also wishing to know who the property owner is and the cost per square foot, which the Department said they would provide to the Committee. Questions were asked regarding Sununu Youth Services Center and tearing it down.

On a motion by Representative Edwards, seconded by Representative Emerick, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$3,963,186 in federal American Rescue Plan Act (ARPA) funds through June 30, 2023.

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

Representative Edwards – Yes
Representative Emerick – Yes
Representative Erf – Yes
Representative Wallner (Alternate) – Yes
Senator Daniels – Yes
Senator Gray (Alternate) – Yes
Senator Giuda – No
Senator Rosenwald – Yes
Representative Umberger – Yes (8-Yes; 1-No)
MOTION ADOPTED.

FIS 22-116 Governor’s Office for Emergency Relief and Recovery – Taylor Caswell, Executive Director, and Chase Hagaman, Deputy Director, Governor’s Office for Emergency Relief and Recovery responded to questions of the Committee.

On a motion by Senator Daniels, seconded by Senator Giuda, that the Committee approve the request of the Governor's Office for Emergency Relief and Recovery to accept and expend \$23,000,000 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2023.

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

Representative Edwards – Yes
Representative Emerick – Yes
Representative Erf – Yes
Representative Wallner (Alternate) – Yes
Senator Daniels – Yes
Senator Gray (Alternate) – Yes
Senator Giuda – Yes
Senator Rosenwald – No
Representative Umberger – Yes (8-Yes; 1-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:

AMERICAN RESCUE PLAN 2021
CONSENT CALENDAR

FIS 22-117 Department of Business and Economic Affairs – Taylor Caswell, Commissioner, Department of Business and Economic Affairs responded to questions of the Committee.

On a motion by Senator Daniels, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Business and Economic Affairs through June 30, 2023 to; 1) accept and expend \$1,496,000 in federal American Rescue Plan Act (ARPA), State Fiscal Recovery Funds (SFRF), and 2) contingent upon approval of Request #1, authorization to establish three (3) full-time temporary positions consisting of; an Administrator II, a Program Specialist IV, and a Principal Planner.

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

Representative Edwards – Yes
Representative Emerick – Yes
Representative Erf – Yes

Representative Wallner (Alternate) – Yes
Senator Daniels – Yes
Senator Gray (Alternate) – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Representative Umberger – Yes (9-Yes; 0-No)
MOTION ADOPTED.

Kerrin Rounds, Chief Financial Officer, and Ann Landry, Associate Commissioner, Department of Health and Human Services responded to questions of Representative Edwards pertaining to FIS 22-103 Department of Health and Human Services (approved at the beginning of the meeting under Consent) regarding STD's related to COVID, to which the Department replied they will provide rates and detail in writing to the Committee.

RSA 9:16-a, I, TRANSFERS AUTHORIZED AND RSA 228:12 TRANSFERS FROM HIGHWAY SURPLUS ACCOUNT:

FIS 22-105 Department of Transportation – Marie Mullen, Director of Finance, Department of Transportation was present.

On a motion by Senator Daniels, seconded by Senator Gray, that the Committee approve the request of the Department of Transportation through June 30, 2022 to; 1) transfer \$500,000 in highway funds between various classes, and 2) transfer \$1,800,000 in highway funds from the Highway Surplus Account to fund winter maintenance activities.

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

Representative Edwards – Yes
Representative Emerick – Yes
Representative Erf – Yes
Representative Wallner (Alternate) – Yes
Senator Daniels – Yes
Senator Gray (Alternate) – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Representative Umberger – Yes (9-Yes; 0-No)
MOTION ADOPTED.

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

FIS 22-110 Judicial Council – Sarah Blodget, Executive Director, and Nina Gardner, Chair, Judicial Council, presented the request and responded to questions of the Committee.

On a motion by Senator Rosenwald, seconded by Representative Erf, that the Committee approve the request of the Judicial Council to receive an additional appropriation from funds not otherwise appropriated in the total amount of \$2,302,141 through June 30, 2023.

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

Representative Edwards – Yes
Representative Emerick – Yes
Representative Erf – Yes
Representative Wallner (Alternate) – Yes
Senator Daniels – No
Senator Gray (Alternate) – Yes
Senator Giuda – No
Senator Rosenwald – Yes
Representative Umberger – Yes (7-Yes; 2-No)
MOTION ADOPTED.

MISCELLANEOUS:

Office of Legislative Budget Assistant – Michael Kane, Legislative Budget Assistant, requested approval to fill a vacant Financial Auditor position in the Office of Legislative Budget Assistant, Audit Division.

On a motion by Senator Daniels, seconded by Senator Giuda, that the Committee approve the request of the Office of Legislative Budget Assistant to fill a vacant Financial Auditor position in the Office of Legislative Budget Assistant, Audit Division. MOTION ADOPTED. (8-Yes; 0-No)

INFORMATIONAL MATERIALS:

Amy Clark, School Facilities, Department of Education and Brandon Kernen, Administrator, Drinking Water and Groundwater Bureau, Department of Environmental Services responded to questions of the Committee pertaining to FIS 22-092 Department of Education – SB 247, Laws of 2018 – Preventing Childhood Lead Poisoning from Paint and Water quarterly report for the Removal of Lead in Drinking Water for NH Schools for the period ending December 31, 2021.

The informational items were accepted and placed on file.

ARPA FUNDING UPDATE:

Governor's Office for Emergency Relief And Recovery – Taylor Caswell, Executive Director, and Chase Hagaman, Deputy Executive Director, Governor's Office for Emergency Relief and Recovery presented an ARPA Funding Update. Handouts were distributed prior to the meeting.

The Chair stated that the Committee will be asking departments beginning next month starting with the Department of Health and Human Services and the Department of Environmental Services, to come in and update the Committee relative to ARPA funds they have received that have not gone through GOFERR.

AUDIT INFORMATIONAL MATERIALS:

No discussion held.

AUDITS:

State of New Hampshire, Lottery Commission, Management Letter For The Fiscal Year Ended June 30, 2021 – Stephen Smith, Director of Audits, and Kimberly Bisson, Senior 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, NH Lottery Commission were present to respond to Committee questions.


State of New Hampshire, Liquor Commission, Management Letter For The Fiscal Year Ended June 30, 2021 – 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 Christina Demers, Chief Financial Officer, NH Liquor Commission were also present to respond to Committee questions. Chairman Mollica noted for the record that he appreciated the hard work of Tina Demers, CFO, and her staff lowering audit observations from 12 in 2019 down to 1 in 2021.

The Chair requested a copy of the NH Liquor Commission's Risk Management Plan.

On a motion by Representative Emerick, seconded by Senator Daniels, that both audit reports be accepted, placed on file, and released in the usual manner. MOTION ADOPTED. (6-Yes; 0-No)

DATE OF NEXT MEETING AND ADJOURNMENT:

The Chair scheduled the next regular meeting of the Fiscal Committee for Friday, April 15, 2022 at 10:00 a.m. to be held in Room 210-211 of the Legislative Office Building. (Whereupon the meeting adjourned at 12:43 p.m.)



Representative Tracy Emerick, Clerk