

JOINT LEGISLATIVE FISCAL COMMITTEE

Legislative Office Building, Rooms 210-211

Concord, NH

Friday, January 27, 2023

MEMBERS PRESENT:

Rep. Kenneth Weyler, Chair
Rep. Keith Erf, Clerk
Rep. Jess Edwards
Rep. Peter Leishman
Rep. Mary Jane Waller
Rep. Gerald Griffin (Alt.)
Rep. Mary Heath (Alt.)
Rep. Maureen Mooney (Alt.)
Rep. David Huot (Alt.)
Sen. James Gray, Vice-Chair
Sen. Jeb Bradley
Sen. Regina Birdsell
Sen. Lou D'Allesandro
Sen. Cindy Rosenwald

(1) Organization of Committee

KENNETH WEYLER, State Representative, Rockingham County,
District #14: Good afternoon. It being 1 o'clock, I'll call the
Fiscal Committee to order. And I would like to announce that the
Acting Clerk will be Representative Erf. By law, the Chairman of
House Finance is the Chairman of the Fiscal Committee. And I
now will like to nominate a Vice-Chair, and I would like to
nominate Senator Gray.

JESS EDWARDS, State Representative, Rockingham County,
District #31: Second.

JEB BRADLEY, State Senator, Senate District #03: And I
will second that.

CHAIRMAN WEYLER: Any further nominations? All in favor of
Senator Gray say aye? Any opposed?

*** {MOTION ADOPTED}

CHAIRMAN WEYLER: Senator Gray, congratulations.

JAMES GRAY, State Senator, Senate District #06: Well, thank you.

CHAIRMAN WEYLER: As I said, the Committee Clerk will be Senator -- will be Representative Erf. And, also, every biennium we appoint the Legislative Budget Assistant, and I appoint Mr. Michael Kane as the Legislative Budget Assistant.

SEN. GRAY: Second.

MICHAEL KANE, Legislative Budget Assistant, Office of Legislative Budget Assistant: Sure. Thank you. You'll just have to take a motion on the Clerk just to appoint Representative Erf as Clerk. Sorry.

** CHAIRMAN WEYLER: All right. Motion to nominate the Clerk.

SEN. BRADLEY: Second.

SEN. GRAY: Second.

CHAIRMAN WEYLER: Motion and a second. All in favor say aye? Opposed no. You are elected.

MR. KANE: Thank you.

*** {MOTION ADOPTED}

CHAIRMAN WEYLER: Okay.

SEN. GRAY: You need to go back for him.

CHAIRMAN WEYLER: All right. Now, I've nominated Michael Kane as the Legislative Budget Assistant. Is there a second?

SEN. GRAY: Second.

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CHAIRMAN WEYLER: Further nominations? Seeing none. All in favor say aye? Any opposed? Congratulations!

***** {MOTION ADOPTED}**

MR. KANE: Thank you very much.

CHAIRMAN WEYLER: We'll go over briefly the Fiscal Committee rules and procedures. Committee requires any requested action made pursuant to RSA 124:15 establishing any new position or continuation of an existing position, either full-time or part-time, or the hiring of consultants be for the current biennium only.

Rule two. The Committee requires that any requested action made pursuant to RSA 14:30-a, VI, the acceptance and expenditure of funds over 100,000 from any non-state source be for the current biennium only.

Rule three. That any request made to the Committee under the following statutes, either individually or a combination thereof, will be placed on a Consent Calendar and voted on as a block. Any member may request that item be removed from the Consent Calendar for further discussion and/or clarification prior to or during the Fiscal Committee meeting.

RSA 9:16-a, transfers authorized; RSA 9:16-c, Transfer of Federal Grant Funds, RSA 9:17-d, Transfer of Appropriations Judicial Branch; RSA 14:30-a, VI, acceptance and expenditure of funds over 100,000 from any non-state source, and RSA 124:15, positions restricted.

Acceptance of a late item requires approval of the Chairman. And I authorize the Legislative -- Legislative Budget Assistant to grant step increases for employees of the LBA Office on the employee's anniversary dates, and at such other times for exceptional service, as determined by the Legislative Budget Assistant.

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Legislative Budget Assistant will inform the Fiscal Committee in writing when these step increases have been granted. Promote any -- an LBA employee or reclassify a position with prior approval of the Chairman of the Fiscal Committee and to fill a vacancy in the LBA Office with the prior approval of the full vacancy -- of the full Fiscal Committee.

(2) Acceptance of Minutes of the November 18, 2022 and December 2, 2022 meetings.

CHAIRMAN WEYLER: We've had two sets of minutes from previous meeting. We have November 18th and December 2nd. I'd like a motion on December 18th.

** SEN. GRAY: Move to approve.

MR. KANE: Excuse me, Mr. Chair. Sorry. Mike Kane here. If you could take a motion on your administrative rules and procedures. I'm sorry.

CHAIRMAN WEYLER: All right. As read, the administrative rules and procedures.

** SEN. GRAY: Move to approve.

CHAIRMAN WEYLER: Move to approve.

SEN. BRADLEY: Second.

CHAIRMAN WEYLER: Second. Further discussion? Seeing none all in favor say aye? Opposed no? They are adopted. Thank you.

*** **{MOTION ADOPTED}**

MR. KANE: Thank you.

CHAIRMAN WEYLER: All right. Now we'll move to the minutes from previous meetings. First for November 18th, 2023 (sic).

** SEN. GRAY: Move to approve.

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CHAIRMAN WEYLER: Motion to approve. Is there a second?

UNIDENTIFIED SPEAKER: Second.

CHAIRMAN WEYLER: Any further discussion? Any omissions or corrections? Seeing none. Are you ready for the vote? All in favor say aye? Opposed no? Those are adopted.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: Next the December 2nd meeting.

****** SEN. GRAY: Move to approve.

CHAIRMAN WEYLER: Is there a second?

PETER LEISHMAN, State Representative, Hillsborough County, District #33: Second.

CHAIRMAN WEYLER: Further discussion? Any omissions or corrections? Seeing none. All in favor say aye? Opposed no? Those are adopted.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: Because of somebody's schedule, we are going to be taking out of order the KPMG report that's coming later where they have done the audits of the performance audit, the CAFR and the performance audit of the Turnpike.

MR. KANE: Yes.

CHAIRMAN WEYLER: Good afternoon. If you see the red light we'll know you're talking.

MARIE ZIMMERMAN, Partner, KPMG: All right. Thank you. Good afternoon, and thank you so much for taking me out of order, Chairman and Committee. My name's Marie Zimmerman. I am the Lead Audit Partner from KPMG. I have over 22 years of experience

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on KPMG, and I previously audited the State from 2014 through 2017. So I'm so proud to be back as your external auditor with you here today.

Today is a testament to DAS. Dana, her management group, as well as LBA, Steve and his management team, who proactively issued and embraced technology while ensuring the integrity of the State's financial statements. We thank you both for your coordination and your cooperation with us throughout the audit.

Included in your packet today is our -- KPMG's presentation, which includes our required communications, as well as our -- um -- findings over the internal controls on financial reporting.

First going through each page by page, I'd like to just highlight a few items to you. We did perform our audit in accordance with government -- generally accepted accounting governmental standards. We did issue an unmodified or a clean opinion, which is the best opinion you can receive over the financial reporting.

These -- this opinion is multiple opinions. We issued an opinion over the governmental activities, the business-like activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining funds. Those incorporate other auditors, the largest being which we refer to was the Pension Trust Funds.

We also issued our required supplementary -- our opinion in relation to for the complimentary schedules. That's over the MDNA and the required schedules of your OPEB and pension plans. That was also a clean opinion as it related to the financial statements of the basic -- the basic financial statements. We concluded they were fairly presented.

Our other required communication that you can see in our packet was over internal controls on financial reporting. We identified two uncorrected audit misstatement and two corrected misstatements. We received and confirmed with Management that

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the effects of the uncorrected financial -- uncorrected misstatements did not have a material account or impact on the financial statements individually and in the aggregate.

The one corrected misstatement did result in a material weakness, which you'll see in your packet on Slide 4, as it related to Unemployment Securities. It was partially due to the advances of the Federal funds that occurred during the Pandemic.

We did issue a Yellow Book Report which is a report on internal controls over financial reporting and compliance in other matters of the audit, which will be filed with the Federal Government with your Single Audit later in the year. That report did also note no significant deficiencies and the one material weakness.

We had no disagreements with Management throughout the audit and no significant difficulties during the audit, which is, again, is a testament to your financial reporting process and internal controls.

I'd like to open it up to see if anyone has any questions today for me.

CHAIRMAN WEYLER: Any questions for the auditor from the Members of the Fiscal Committee? Seeing none. Thank you very much.

MS. ZIMMERMAN: Thank you.

CHAIRMAN WEYLER: Mr. Smith, any comments?

STEVE SMITH, Director, Audit Division, Office of Legislative Budget Assistant: No. I think at the end of the meeting I believe if Department of Administrative Services, either Comptroller or the Commissioner, we'll maybe have them then unless -- that'll work? Okay. And just remind the Committee that all of the audits today the reports were accepted and approved for release when available back at the November

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meeting. So that's a task you don't have to do today. So the rest of the audits will be presented at the end of the meeting.

CHAIRMAN WEYLER: Thank you very much. Anything further? Is there a motion to approve the report?

KEITH ERF, State Representative, Hillsborough County, District #28: Don't need it.

CHAIRMAN WEYLER: We don't need it. It's been done. All right. And congratulations, Commissioner Arlinghaus, to your financial staff.

CHARLIE ARLINGHAUS, Commissioner, Department of Administrative Services: Thank you.

CHAIRMAN WEYLER: Anyone you wish to recognize, particularly for these reports?

MR. ARLINGHAUS: The financial staff I'll say we were going to talk later. The financial staff I think that people know that Dana Call is the State Comptroller, does a terrific job, and Karen Burke is her lead on financial reporting (Inaudible).

CHAIRMAN WEYLER: Congratulations to them. Thank you.

(3) Old Business:

(4) RSA 14:30-a, III, Audit Topic Recommendation by Legislative Performance Audit and Oversight Committee:

CHAIRMAN WEYLER: All right. Moving on to our agenda. We'll go to Tab 4. Recommendation by the Legislative Performance Audit Oversight Committee that a performance audit be done on the Commission for Human Rights. A motion to approve.

****** LOU D'ALLESANDRO, State Senator, Senate District #20: So moved.

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CINDY ROSENWALD, State Senator, Senate District #13:
Second.

CHAIRMAN WEYLER: Motion, second, to approve the Performance Audit Oversight Recommendation. Further discussion? Seeing none. Representative Birdsell.

REGINA BIRDSELL, State Senator, Senate District #19: Thank you, Mr. Chair. I just want to say I don't know if anyone's had a chance to talk to the Executive Director but I did. And I know -- I'm not sure whether every Department, 'cause I'm new to this Committee, I'm not sure whether every Department is required to get a performance audit. But in speaking with her, they have made some significant changes in their processes and I -- I just don't understand the need for -- - for an audit. So I will be voting against it. Thank you.

CHAIRMAN WEYLER: The Performance Audit Oversight Committee meets. This looks at various things that they bring from their experience. They recommend it and give a little spiel on why they recommend it. And if they're supported by the rest of the Committee, then it comes to us. So performance audits aren't done on every agency, but they're done on a regular basis and, you know, we look for where people think they have a problem, and they bring it forward and try to convince the rest of the Committee. And if that's so, then it comes to us for approval.

SEN. BIRDSELL: Thank you.

REP. EDWARDS: Mr. Chair.

CHAIRMAN WEYLER: Representative Edwards.

REP. EDWARDS: Thank you, Mr. Chair. I -- I think it may also help Senator Birdsell. If I -- if I've heard this right, at this point in the process it would take a unanimous vote of the Fiscal Committee to not do this audit. That the audit at this point is pretty much guaranteed, unless all of us said no. Is that the case, sir?

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CHAIRMAN WEYLER: Yes. Thank you. Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you, Mr. Chairman. I was on the Committee. I support the -- the movement of the -- of the audit. I think there was ample evidence given that this audit was required. One hadn't been done in a long time. And that -- uh -- because of the circumstances, this -- this was essential. Thank you.

CHAIRMAN WEYLER: All right. Since there is some dissension, we'll do a roll call. Clerk will call the roll. The motion is to approve the performance audit for Commission of Human Rights.

REP. ERF: Representative Edwards.

REP. EDWARDS: Yes.

REP. ERF: Clerk votes yes. Leishman. Representative Leishman. Excuse me.

PETER LEISHMAN State Representative Hillsborough County District #33: Yes.

REP. ERF: Representative Wallner.

MARY JANE WALLNER, State Representative, Merrimack County, District #19: Yes.

REP. ERF: Senator Gray.

SEN. GRAY: Yes.

REP. ERF: Senator Bradley.

SEN. BRADLEY: No.

REP. ERF: Senator Birdsell.

SEN. BIRDSELL: No.

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REP. ERF: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. ERF: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. ERF: Senator Weyler.

CHAIRMAN WEYLER: Yes.

REP. ERF: The vote is 8 to 2.

CHAIRMAN WEYLER: Vote is 8 to 2. The motion passes.

*** {MOTION ADOPTED}

CONSENT CALENDAR

(5) RSA 9:16-a, II, Transfers Authorized:

CHAIRMAN WEYLER: Moving on to Tab 5. We have a Consent Calendar with one item on it. Department of Military Affairs and Veterans Services authorizing to transfer 114,604 in Federal/General Funds through June 30th, 2023.

REP. ERF: Do you want to ask which items come off with this first here?

CHAIRMAN WEYLER: This -- when I come to that calendar. We are on five. We are just on the one item, and it's Fiscal item 23-020.

REP. ERF: May I ask the LBA a question?

CHAIRMAN WEYLER: Yes.

REP. ERF: Is this on Consent?

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MR. KANE: It is. So it's a decision of the Chair if they want to move the whole Consent Calendar and just pull those items off that have questions, or if they want to move tab by tab. So I'd leave that to Chairman Weyler.

CHAIRMAN WEYLER: So I thought it just applied to the one on Tab 5. It applies to all the ones from there on down.

MR. KANE: It does. So Tabs 5 through I believe it's 10 are all on the Consent Calendar. The previous Committee -- I think was probably the first time it happened, the previous Committee what they would do is they'd move the entire Consent Calendar, minus the items that any member wants to pull off. So the first thing would be if there's any items on the Consent that Members would like to pull off so they can ask the agencies questions to just note those.

CHAIRMAN WEYLER: All right. So what I've been told of, Members, take a look at your agendas. Someone asked to withdraw 23-022. Who asked for that?

(Inaudible).

MR. KANE: That's been withdrawn.

CHAIRMAN WEYLER: Tab 6. Oh, that -- no, that item was withdrawn.

MR. KANE: Yes, that was withdrawn.

CHAIRMAN WEYLER: So there is no item.

MR. KANE: That's correct.

CHAIRMAN WEYLER: All right. Tab 7, 23-001. Senator Rosenwald, I have your request. That's off Consent. Moving on under Tab 7. Item 23-008, request by Representative Edwards. Off Consent. Moving on to Item 23-025, off Consent by Representative

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Erf. Item number FIS 23-031, is off Consent by Representative Edwards and Representative Erf. You got it?

REP. ERF: (Inaudible) 026.

CHAIRMAN WEYLER: I didn't have any -- I didn't have any request on 026. That remains on Consent.

REP. EDWARDS: (Inaudible).

CHAIRMAN WEYLER: All right. 23-032, Representative Erf. Uh -- FIS 23-033, Representatives Leash and Erf -- Leishman and Erf, OPLC. And under Tab 8, FIS 23-036, Representative Erf. And I'll come later to the American Rescue Plan groups.

REP. ERF: (Inaudible).

CHAIRMAN WEYLER: Okay. 23-024 you wish -- under Tab 10. Well, that's on the --

REP. ERF: Oh, that's already off. I need to check that out.

CHAIRMAN WEYLER: No, I haven't come to Tab 10 yet. I said I'm just going ahead with the Consent Calendar, until we get to American Rescue Plan. Then I'll take up a separate Consent Calendar. All right. So.

****** SEN. GRAY: Move to accept.

CHAIRMAN WEYLER: Is there a motion to accept the rest of the Consent Calendar? Senator Gray moves.

REP. EDWARDS: So to clarify, Mr. Chair.

CHAIRMAN WEYLER: Yes.

REP. EDWARDS: When you say the rest, you're excluding Tab 10 at this point, are you not?

CHAIRMAN WEYLER: I'm excluding Tab 10.

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REP. EDWARDS: All right.

CHAIRMAN WEYLER: I'll come to that later.

REP. EDWARDS: So -- so the prior tabs minus the line items that you've read off. That's what --

CHAIRMAN WEYLER: That's what the vote is.

REP. EDWARDS: Thank you, sir.

CHAIRMAN WEYLER: Okay. All in favor of approving the rest of the Consent Calendar say aye? Opposed no? Appears to be unanimous.

***** {MOTION ADOPTED}**

REP. ERF: Who -- who made the motion?

CHAIRMAN WEYLER: Senator Gray. Seconded by I think Senator Rosen -- Senator D'Allesandro. (Inaudible).

All right. So looks like FIS 23-020, Department of Military Affairs and Veterans, that's been approved. 021 has been approved. 022 has been withdrawn. So now we come to Item 23-001, the Department of Education. Is there someone here from Department of Education? Commissioner Edelblut to answer questions. Good af --

FRANK EDELBLUT, Commissioner, Department of Education: For the record, Frank Edelblut, Commissioner of Education.

TAMMY VAILLANCOURT, Chief Financial Officer, Department of Education: Tammy Vaillancourt, CFO for Education.

CHAIRMAN WEYLER: Senator Rosenwald is recognized for a question.

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SEN. ROSENWALD: Thank you, Mr. Chairman. Good afternoon. Um -- of -- of the \$1.6 million that we appropriated in 2019, how much has been sent out to school districts, and second part of the question is what is the Department's plan to move the rest of the money to abate lead?

REP. EDELBLUT: Great. Thank you for that question. So of the 1.6 million which was approved, I believe, actually it was even earlier than that in 2018, we've spent \$74,930. We have three schools that have submissions that are pending with DES for approval that will be sent over to us and we'll be bringing those to you. And then so that is how we've used the funds so far.

In some respects, that's actually a good thing, which means that we have tested for lead and we've not found lead in the school systems. So we've not needed all of those funds to remediate lead in the schools.

As you know, last year in the legislative session they changed the -- the requirements for the testing from 15 parts per million to -- or billion to 5 parts per billion. Those testing results will be coming back to us between now and June of 2024. So we do think it's prudent to leave the funding on the book. So as we lowered those standards, there may be additional schools that are seeking, you know, some support in terms of remediating any lead in their schools.

CHAIRMAN WEYLER: Further.

SEN. ROSENWALD: Thank you. I think this money also is available to child care centers. Have any applied or is the Department reaching out to them to try and bring them on Board to do the testing and remediation?

MR. EDELBLUT: Yeah. So it is available to child care centers. The question might be better directed to someone from DES. The DES is the ones who collect the samples and they submit them to us for the reimbursement process. And so we're kind of on the back end of that. So I don't know the answer, but I can

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get the answer for you in terms of any child care centers that have taken advantage of the program.

CHAIRMAN WEYLER: Coming right behind you.

CYNTHIA KLEVENS, Department of Environmental Services: I can provide a quick answer. Cynthia Klevens, New Hampshire DES engineering section. This particular funding is only available for schools, both private and public schools, because it was -- the application was by the Department of Education only.

MR. EDELBLUT: I'll -- I'll follow-up on that 'cause my understanding is that child care centers were included in the opportunity. Thank you.

CHAIRMAN WEYLER: Further questions. Motion to accept 23-001. Made by Senator Rosenwald, second by Senator Birdsell. Any further discussion on the item? Seeing none. You ready for the question? All in favor say aye? Opposed no? Appears unanimous.

*** {MOTION ADOPTED}

(7) **RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000 from Any Non-State Source:**

CHAIRMAN WEYLER: All right. Moving on to the next removed item. Be under Tab 7, 23-008.

NATHAN WHITE, Chief Financial Officer, Department of Health and Human Services: Good afternoon, Members of the Committee. Nathan White, DHHS CFO.

CHAIRMAN WEYLER: And we welcome Health and Human Services. Introduce yourself.

ANN LANDRY, Associate Commissioner, Department of Health and Human Services: Good afternoon, Members of the Committee. Ann Landry, Associate Commissioner of DHHS. Thank you.

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CHAIRMAN WEYLER: Question by Representative Edwards.

REP. EDWARDS: Thank you, Mr. Chair. I was just trying to understand the cash flow part of this, because we've merged in this language both the cash benefits and medical benefits. And so I can understand how a cash benefit might go to an individual refugee or their family; but how -- how do we process the payments for medical care? I don't think this goes through Medicaid. We're not reimbursing Medicaid. How -- how does this money end up flowing eventually to the provider?

MS. LANDRY: Thank you for that question, Representative Edwards. You're correct, it doesn't go through our -- these -- these individuals are eligible for Medicaid, but then if their earnings exceed and that would go through our regular channels. And if their earnings are exceed what makes them and causes them to be ineligible for Medicaid, then they are eligible for the -- um -- the cash assistance under the met -- under the Medicaid. I mean, I'm sorry, under the medical assistance. I'm not entirely sure, and I can get back to you on the exact process, unless you are, on how they receive that money. It was my understanding through vendors that pay the providers, but I need to check on that.

REP. EDWARDS: I would appreciate that.

MS. LANDRY: Yeah.

REP. EDWARDS: I'm just looking for what the internal controls are around the workflow of the process of getting the money to the provider. That's all. And then a second question, if I may?

CHAIRMAN WEYLER: Follow-up.

REP. EDWARDS: Now, I -- I have heard that the refugees or guests of our country are prohibited from working, seeking official employment. Is that the case? Can these individuals go get jobs and maybe come off of the -- the welfare roll?

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MS. LANDRY: Yes, absolutely. We -- these individuals are coming in and looking for employment. There're supportive employment programs through some of our vendors with -- that we give Other Funds to -- to help with job employment and -- and case manage their ability. And we track all of that information. So as -- as they -- as stated, if they become ineligible during because of earnings, they are -- no longer require this assistance.

REP. EDWARDS: Thank you, Mr. Chair. Thank you for the question or the answers.

CHAIRMAN WEYLER: Thank you very much. Further questions from Committee Members?

** REP. EDWARDS: I'd like to move the item.

CHAIRMAN WEYLER: Representative Edwards moves the item and Senator Gray seconds. Further discussion? Seeing none. You ready for the question? All in favor say aye? Opposed no? The item is (No audio).

*** **{MOTION ADOPTED}**

CHAIRMAN WEYLER: Next item will be 23-025. Still under Tab 7. Request by Representative Erf for a question. Same group of people, Health and Human Services.

REP. ERF: Thank you, Mr. Chairman. And thank you all. Um -- I'm just learning this process now. So I failed to take note of the fact that you'd already given me a great answer to this question this morning. So I won't bother you to, unless you want me to read it back. I don't -- won't bother you to repeat it but thank you.

PATRICIA TILLEY, Director, Division of Public Health Services, Department of Health and Human Services: Thank you. And for the record my name is Patricia Tilley. I'm the Director of Public Health Services. Thank you, Representative Erf.

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** REP. ERF: Move to approve.

CHAIRMAN WEYLER: Motion and a second to approve item 23-025. Further discussion from Committee? Seeing none. Are you ready for the question? All in favor say aye? Opposed no? Motion is adopted.

*** {MOTION ADOPTED}

CHAIRMAN WEYLER: Next we'll move on to 23-021. Still under Tab 7. Thirty-one. And I see questions again by Representative Erf.

REP. ERF: I'm 32.

REP. EDWARDS: I had a question.

CHAIRMAN WEYLER: Thirty-one, then as Representative Edwards and Erf. I had both of you down. Representative Edwards is recognized for a question.

REP. EDWARDS: I -- I -- I -- I'm not really opposed to this, but I -- I do think the public kind of needs to understand what we're doing here. We're taking 318, if I understand this right, we're taking \$318,000 because the people who are currently enrolled in WIC know they're in WIC are under-leveraging their WIC benefits. So we're going to take \$318,000 to pay a contractor who's not going to provide any food, but that contractor is going to tell the existing WIC people go use your WIC card. I -- it's a bit of a layman description, but is it accurate?

MS. TILLEY: Um -- Thank you, Representative Edwards. I would not characterize it as fully accurate. But the points you're making are correct. Yes, we're bringing in money. We are using those funds in help make sure that all of our WIC participants understand how to use their benefits. WIC is unlike SNAP, for example. We don't just give a blank dollar amount. There is a prescription essentially made for everyone who

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participates because, in essence, not only is it to provide supplemental food, it's also for the nutrition education that goes with it. That's what makes it different than a cash assistance program. It really is to make sure in this particular vulnerable population, pregnant women, young children, that they have the food that they need that meets their developmental and growth needs.

So with these funds we've noticed that folks are not utilizing all of their WIC benefits. That could be, in part, because we've had additional SNAP benefits over the Public Health emergency. And so folks may not feel the need to use all of the more prescriptive WIC benefits. As we end the Public Health emergency, we want to make sure that people know the benefits that they have, how to navigate through the stores to find what they need, and ultimately to get the nutrition -- nutrient dense food that is appropriate for them and their children.

REP. EDWARDS: Follow-up.

CHAIRMAN WEYLER: Follow-up.

REP. EDWARDS: So I always appreciate your added precision. Thank you. You just made New Hampshire smarter. Okay.

So -- so my next question is, is there something that backs up the 318 as the right amount? I mean, why -- why isn't it 220,000? Why isn't it 450,000? How do we assess the need to be \$318,000?

MS. TILLEY: Sure. This is a formula from USDA and so these are the funds that we're and this is what's available to us and so we backup and say what's appropriate for New Hampshire in that; but it was a formula funded decision at the federal level.

CHAIRMAN WEYLER: Further questions from any Committee Member? Is there a motion to approve?

** REP. EDWARDS: So move.

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SEN. D'ALLESANDRO: Second.

CHAIRMAN WEYLER: Representative Edwards moves to approve. Representative D'Allesandro -- Senator D'Allesandro seconds. Further discussion? Seeing none. All in favor say aye? Opposed no? 31 is adopted.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: 32 is somewhat the same thing and I had that removed by Representative Erf.

****** REP. ERF: And as before I noted this morning that you sent me a great answer. So I really appreciate that. Thank you. Move to approve, if that's okay.

SEN. GRAY: Second.

CHAIRMAN WEYLER: Motion to approve by Representative Erf, second by Senator Gray. Further discussion? Seeing none. All in favor say aye? Any opposed? That motion is also adopted, 23-032.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: Office of Professional Licensure and Certification, Item number 23-033. Good afternoon.

LINDSEY COURTNEY, Executive Director, Office of Professional Licensure and Certification: Good afternoon, Mr. Chair, Members of the Committee. For the record, I'm Lindsey Courtney, Executive Director, Office of Professional Licensure and Certification.

HEATHER KELLEY, Director of Operations, Office of Professional Licensure and Certification: Heather Kelley. Director of Operations.

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CHAIRMAN WEYLER: Senator Leishman recognized for a question. Did I get it wrong again? Oh, well.

REP. LEISHMAN: Thank you, Mr. Chairman, and thanks for appearing today. So I had a number of questions with your request. Under the Administration Division, you show -- uh -- salaries temporary employees, that's on the second page, this current budget of zero, and it's going to \$354,000, and you can kind of carry that through down to the Division of Licensing below. You have another salary temporary employees. It's going from zero to \$192,000. And yet on the back page, I believe it's Page 5, you list 21 new positions it says, but they're existing positions. So I'm a little confused where it says existing, but you've got this additional money, and if we didn't approve this request we'd be returning about \$1.4 million to the General Fund. So I was hoping for an explanation, Mr. Chairman. Thank you.

MS. COURTNEY: Absolutely. Thank you, Representative, for the question. So just to take a step back. OPLC has really two broad initiatives that we're working on that are rather time sensitive. The first, and I think you've all probably read the audit from the Board of Dental Examiners and recognize what we know in the office which is that there's been a complete lack of internal controls at the Board level, as well as the Agency level. So we have prioritized establishing internal controls and that is a project that we're working on expeditiously, which leads into our second initiative. That was also recognized by the audit, which is that the current technology operated by the office, which is an enterprise solution, does not meet the State's needs. So, recently, Governor and Council approved a new contract to procure a new solution, and we will be migrating over the next two years with a new solution.

The issue is that we don't want to migrate bad data. We don't want to migrate improper information. One of my observations has been that years ago when our technology was set up it was not -- the requirements were not correct. They have been modified over many years to not be consistent with statute and rules. And so as part of our internal controls project, we

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are reviewing and inventorying all statutory and regulatory requirements for both the Agency but as well as our Boards.

In the mean -- in order to meet the time frames to migrate clean information and correct information over to the new system, this requires -- this is a significant project that requires additional support from a temporary nature -- um -- because we have to continue operations as is while we're focused on basically our clean-up project.

So what we did is we established some 8-T positions that are temporary up to 52 weeks, that do not -- that are not required to go before Fiscal. We have not, obviously, filled the positions yet. This request is to seek transfer of funds or basically budget and expense so we have appropriations for those positions.

I don't anticipate -- um -- requiring -- it's not -- it's not yet known whether we will require these positions beyond the 52 weeks. If we do, then obviously we will seek to convert them to nineties which will require that we bring this request before the Committee to create the positions. But at that time, that's -- that's the basis for the request.

REP. LEISHMAN: Further question, Mr. Chairman.

CHAIRMAN WEYLER: Further question.

REP. LEISHMAN: Thank you. You also show agency income up about \$350,000. Is that business is up, so to speak, or are you assessing new fees?

MS. COURTNEY: We are not assessing new fees. So the income -- so as -- as the Committee knows, OPLC is self-funded. We have not significantly modified any fees because there's been a lack of clarity over who has statutory -- statutory authority to modify fees, as between the boards and the agency. So we've worked with the Legislature. There was a Committee created last year to look at that issue, and there's a bill pending that

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would resolve that. So we have not made any significant changes regarding fees.

The concern has been always that some Boards are meeting their costs. Some Boards are incredibly exceeding their costs, and some Boards are not meeting their costs. The result of that is that the Agency historically has lapsed significant funds to the General Fund. 2016 it was \$4.8 million. 2017 it was 5.6. 2018 it was 5.5. 2019 we didn't lapse any money due to a statutory change that converts our lapse to every biennium. Last year or 2020 we lapsed 7 million approximately for two years. And last year we lapsed about \$4 million. So, essentially we just -- we carried over funds from last year. We have the funds. We don't have the appropriations. So there hasn't been an increase in funding. It's just utilizing existing funding available to us.

REP. LEISHMAN: Thank you. Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Entertain a motion to approve the item.

REP. GRAY: Second.

CHAIRMAN WEYLER: Motion to approve from Representative Leishman, second by Senator Gray. Further discussion? Any questions on the item? Seeing none. You ready for the vote? All in favor say aye? Opposed no? Motion is adopted.

*** {MOTION ADOPTED}

(8) 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:

CHAIRMAN WEYLER: Next one off Consent is 23-036, Department of Environmental Services by Representative Erf. Tab 8. Representative Erf is recognized for a question on 23-036 from Department of Environmental Services.

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REP. ERF: Thank you, Mr. Chairman. Thanks for taking my question. Actually, I had several questions that you already answered. But since I have you here, I'll just ask another one. What relationship does this funding bear to the wastewater funding that we put into the budget?

SUSAN CARLSON, Chief Financial Officer, Department of Environmental Services: Are you referring to the General Funds for wastewater or are you referring to our Clean Water State Revolving Loan Program?

REP. ERF: What is apparently colloquially known as "Buco Bucks".

MS. CARLSON: That -- that is the General Fund portion. The State Aid Grant Program, the SAG Program, is an after the fact General Fund grant program to municipalities for 20% share of the Debt Service on major upgrades to their wastewater treatment systems. And that 20% grant is based on Debt Service after accounting for any grants that they have received on the front-end of the project.

So, for instance, if there was a town that had a \$10 million project, they received \$5 million from Rural Development, they received a grant of \$2 million from us, their debt -- net Debt Service is \$3 million, we would pay 20% on that Debt Service, and that would be on an annual basis per Debt Service payment.

REP. ERF: And this is some part of that?

MS. CARLSON: No. What this is is this is a federal grant program on the front-end of the program to help municipalities fund the -- um -- the changes either in emerging contaminants to deal with that or in this case we were given additional money from EPA to award loans to municipalities.

****** REP. ERF: Thank you. Move to approve.

SEN. BIRDSELL: Second.

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CHAIRMAN WEYLER: Motion to approve by Representative Erf, second by Senator Birdsell. Further questions from Committee Members on the item? Seeing none. Are you ready for the question? All in favor say aye? Any opposed? That motion -- that figure -- that item is adopted.

*** {MOTION ADOPTED}

AMERICAN RESCUE PLAN 2021
CONSENT CALENDAR

(10) RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000 From any Non-State Source:

CHAIRMAN WEYLER: We'll go past item Tab 9. We'll come to Tab 10, which is the list -- another Consent Calendar on American Rescue Plan dollars. And I have -- some of them have been asked to be removed. The first one is 23-009. Um -- I'm trying to remember was it Representative Leishman that asked for this? Okay. And the other item in that list is 23-030, a request by Senator Rosenwald. So I'll entertain a motion

REP. ERF: (Inaudible.) You're on Tab 10, right?

CHAIRMAN WEYLER: Yeah, Tab 10.

REP. EDWARDS: I think we had 24 as well.

REP. ERF: (Inaudible).

CHAIRMAN WEYLER: Okay. I missed that. Thank you. Who asked that to be removed?

REP. EDWARDS: I did.

REP. ERF: I guess we both did.

CHAIRMAN WEYLER: Okay. E and E.

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REP. ERF: What was the last one you said?

CHAIRMAN WEYER: All right. So we're removing 009, 024 and 030.

** SEN. GRAY: Move the remaining items.

SEN. D'ALLESANDRO: Second.

CHAIRMAN WEYLER: Motion and a second, Senator Gray, Senator D'Allesandro, to approve the rest of the Consent Calendar remaining. Further discussion? Seeing none. You ready for the question? All in favor say aye? Any opposed? The rest of the calendar is adopted.

*** {MOTION ADOPTED}

CHAIRMAN WEYLER: And we're moving on to FIS 23-009, Health and Human Services. I see Mr. Lipman. Good afternoon. Representative Leishman recognized for a question.

REP. LEISHMAN: Thank you, Mr. Chairman. Thank you for appearing. So I did receive a response to my question concerning the liquid damages, the MCO liquid damages, and your response that it could lead to a \$1,000 penalty per occurrence, which kind of caught my attention, because you got \$1.4 million in that -- on that line. So it seems like are there that many penalties that you need to set aside \$1.4 million?

HENRY LIPMAN, Director, Division of Medicaid Services, Department of Health and Human Services: Thank you for the question, Representative. For the record, Henry Lipman, the State's Medicaid Director. Just to give you some sense of scale, the Medicaid Managed Care contract, you know, currently the price limitation under the current version is over \$1.3 billion. We have a very large set of performance standards, and we monitor them on a monthly basis. And so when -- when there is an opportunity that they're not meeting what they're required to do, then we apply it. It's -- it's a -- considered a remedy

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because there's really the standards defined and if they don't meet it, then we just collect it subsequently.

REP. LEISHMAN: Thank you, Mr. Chairman. Thank you.

CHAIRMAN WEYLER: Any further questions from any Committee Member? Seeing none.

SEN. BRADLEY: (Inaudible).

CHAIRMAN WEYLER: A motion by Senator Bradley, second by Senator Gray. Are you ready for the question? All in favor say aye? Opposed no? 009 is adopted.

MR. LIPMAN: Thank you.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: We'll next look at zero -- 23-024. Again, Department of Health and Human Services, and Representative Erf and Representative Edwards. Representative Edwards, you wish to go first?

REP. EDWARDS: Yes, sir, that's fine. Uh -- okay. I want to go into the weeds for a moment. On the third page on the Class 037, it's for the tablets.

MS. TILLEY: Yeah.

REP. EDWARDS: And, one, I want to thank you for enumerating that there are 13 of them. In previous submissions in prior years the quantity was often sort of obfuscated, and we couldn't really tell. So I appreciate the specificity. Thank you.

What -- what I'm asking about is this \$50,000, are -- are we anticipating that these tablets are essentially disposable or are we going to be including them in the permanent inventory of the State, and they're going to be on a maintenance plan, and we're going to rotate them or replace them over time?

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MS. TILLEY: Thank you very much for that question. Again, for the record, Patricia Tilley, Director of Public Health. So thanks, Representative Edwards.

As noted, we have a number of tablets here that we want to make available to the ten county jail systems, as well as the three state correctional facilities. So that's the total of the 13 that we're talking about.

Um -- in terms of what their life span, it's -- it is not anticipated that this particular pot of money will continue to support those ad infinitum. That these are being given and provided to each of the correctional facilities to ensure that they have access to the technology they need for the correctional officers to get the infectious disease training that is required or that is needed, and certainly has been an added need throughout COVID-19.

The State facilities will likely have a certain plan for disposition. The County facilities will likely have a different plan for disposition that, you know, in terms of the way that those function. For the purposes of this grant, this is a one and done. We're going to give them these tablets. We want to make sure that this training occurs over the next couple of years.

REP. EDWARDS: Okay. So it's a small amount of money, and I'm not -- I'm not obsessing on a small amount of money. I'm just trying to make sure that there's a consistent principle that when we do a one-time investment with federal money that we're aware of what the long-term maintenance tail is, and if that maintenance tail is the obligation of the General Funds or not.

MS. TILLEY: I don't believe that this would be the obligation of the General Funds.

REP. EDWARDS: Okay. Thank you. And then the in-person training described in 37 is probably much narrower than what will really happen. It just talks about they'll be training on

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prevention of COVID-19. I think you implied it's a broader topic on infectious diseases.

MS. TILLEY: Correct. Yes, correct. It'll be a broader topic. It's across all infectious diseases, inclusive of COVID-19. And this is really going to be a train the trainer model. So there'll be some in-person, but the tablets are really there so that those people that get the trainer training can go and share that with their colleagues back in their own facilities.

REP. EDWARDS: So thank you for that. One of the reasons I -- I sometimes will pick something so narrow and dig into it is -- is just to test whether or not the Department is on its toes and actually doing its homework. And you -- you never -- you never fail. So thank you. Thank you, Mr. Chair.

CHAIRMAN WEYLER: Entertain a motion to approve the item.

****** SEN. BRADLEY: So move.

CHAIRMAN WEYLER: Wait. Representative Erf has a question.

REP. ERF: Thank you, Mr. Chair, and thank you both. I had some questions and you did answer them, but I have another one that kind of ties into those questions. Can you speak to the racial and ethnic health disparities mentioned here occurring in our prisons and rural locations?

MS. TILLEY: Sure. So the Health Disparities Funds, which are funds that were accepted a while back now, you know, 18 months ago or so, was really designed for not only racial and ethnic health disparities, but health disparities across the board. And so incarcerated individuals are considered one of those people that have a disparate outcome and disparate impact of COVID-19.

So I don't know the racial ethnic breakup of the incarcerated population; but just by the means that they are in that congregate setting where it's really hard to manage

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infectious diseases, they are at higher risk for contracting infectious diseases, not only among the population of residents that are in those facilities, but also among the staff.

We work very closely with our -- all of our correctional facilities, County and the State systems, to help them manage and mitigate those risks, because it's very different than, say, a health care facility or, you know, any other facility where people have a little bit more ownership. You can wear masks. There's really some special need in these -- in these places.

REP. ERF: Follow-up.

CHAIRMAN WEYLER: Follow-up.

REP. ERF: Thank you for that. I might suggest that when you write these things up you're a little clear about what you write since it was pretty clear that you were talking about racial and ethnic health disparities. I didn't just pull that out of the air.

MS. TILLEY: Right.

REP. ERF: But thank you.

MS. TILLEY: No, I appreciate that question, and I'll just let the Committee know just today the Federal Government Accountability Office, the GAO, submitted a report on this particular funding source where they did a deep dive in five states, including New Hampshire, about the types of work that is going on with them. So I'm happy to share that, if the Committee is interested.

****** REP. ERF: Motion to approve.

REP. EDWARDS: Second.

CHAIRMAN WEYLER: Representative Erf moves to approve. I think it was Senator Bradley or Senator Gray moved to second. Further discussion? Any more questions from the Committee

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Members? Seeing none. Are you ready for the question? All in favor of adopting the Amendment, adopting the item say aye? Opposed no? It is adopted.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: Next one I have is FIS 23-030, and it was request of Senator Rosenwald, Department of Health and Human Services.

SEN. ROSENWALD: Thank you, Mr. Chairman. I have several questions.

CHAIRMAN WEYLER: You may go ahead.

SEN. ROSENWALD: Thank you. So this item seems to start some new programs or expand some programs using Federal funds -- um -- like the Homeless Health Care Program. Is the Department planning to put years two and three into the budget after we accept this money for starting with year one in Fiscal?

MR. WHITE: Sure. So --

SEN. ROSENWALD: Or will -- I guess the rest of that question is at the end of ARPA funds, will we be expecting to see these as ongoing budget requests?

MR. WHITE: So I -- I will answer the first question. Again, Nathan White, DHHS CFO.

At this point in time, based on the guidance that we received, the statewide guidance that we received back in this -- during the summer in August when we put our Agency Budget Requests together, we had kept those -- the one-time federal money, the ARPA funds and Other Funds, outside of our standard Agency Budget Request. However, you know, if at the legislative phase or whatever brings about through the Governor's Budget there is a desire to include that in -- in the -- the overarching budget, we will certainly do so.

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As far as the long-term -- um -- I mean, ultimately, that would be dependent upon whether funds would be available to continue these programs.

SEN. ROSENWALD: Could I continue?

CHAIRMAN WEYLER: Further.

SEN. ROSENWALD: Thank you. So the \$30 million in workforce investments, and I see that's a one-time retention bonuses or something like that, is the Department going to include other workforce investments, like Medicaid rate increases, in its budget requests?

MR. WHITE: Are we going to include Medicaid budget rate increases in our budget request? Is -- yes. So in our Agency Budget Request, you'll see our Efficiency Budget as well as our Prioritized Needs column, and we included a number of Medicaid rate increases. Off the top of my head I believe we had \$20 million for general Medicaid in the LTT -- LD -- DLTSS. We had included an additional budget rate increase. We had included an additional Prioritized Need Request to align the adult dental fee schedule with the children's fee schedule as well. So there are a number of Prioritized Needs Request that we did include in our budget when we submitted that back in September.

SEN. ROSENWALD: Thank you. And one more, if I could? I see that -- um -- you want to fund presumptive eligibility for CFI with \$2 million. We've -- we've had presumptive eligibility for CFI on the books for 15 years in New Hampshire. We've never funded it. My understanding is there's no guarantee of a retroactive payment, and that State General Funds would be on the hook if the person was later found ineligible. I'm assuming that's still true. But for 15 years we haven't funded it. In fact, when the Governor presented his budget to the Legislature two years ago, he asked to repeal this program in House Bill 2. We worked in the Senate phase to suspend it. Why the -- why the change of heart after 15 years? Why has the Department come on board?

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MELISSA HARDY, Director, Division for Long-Term Supports and Services, Department of Health and Human Services: Sure. Hi. My name is Melissa Hardy. I'm the Division Director for Long-Term Supports and Services. Thank you for your question.

In our most recent submission to CMS for the ARPA spending plan, we've actually changed from presumptive eligibility to diversion knowing those facts that you just stated and also as far as needing a 1115 waiver in order to do presumptive eligibility. So I think there was a link in the Fiscal item to our most recent updated spending plan. That's been approved by CMS to actually change from presumptive eligibility to diversion, meaning providing community-based supports to non-Medicaid folks, such as home health aides, Meals on Wheels, in order to keep them in the community longer versus institutionalization.

SEN. ROSENWALD: Final follow-up. So on page, I don't know -- um -- where you request \$2 million for presumptive eligibility, is that -- you're not requesting that?

MS. HARDY: Correct. We -- we have changed our approach with these dollars and is now changing it to the diversion process. So presumptive eligibility is not in our spending plan.

SEN. ROSENWALD: Okay.

MR. WHITE: And just as a point of clarity. The prior item is included in this and when we submit the new item, we attach all the documentation that was included in the prior item. We -- we tried to correct for that by including that link that Melissa had referenced there; but that's why you're seeing that old language attached to the full complete item there in front of you.

SEN. ROSENWALD: Thank you. Thank you, Mr. Chair.

CHAIRMAN WEYLER: If the item when you submit it is a little clearer, we won't need as many questions. So, obviously, she found something that wasn't clearly spelled out that should have been done, so we didn't need to prolong this and ask all these

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questions. Because it, obviously, wasn't explained in the item. We're hoping for better communication in the future. Any motion to approve the item?

SEN. GRAY: Second.

CHAIRMAN WEYLER: Motion by Senator Rosenwald, second by Senator Gray to approve Item 23-030. Further questions from the Committee Members? Seeing none, you ready for the question? All in favor say aye? Opposed no? That is adopted.

*** {MOTION ADOPTED}

REGULAR CALENDAR

- (11) RSA 9:16-a, I, Transfers Authorized, RSA 9:16-c, Transfer of Federal Grant Funds, RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance And Expenditure of Funds Over \$100,000 from any Non-State Source, RSA 9:17-a, III, Limitations, And Chapter 91:35, Laws of 2021, Change in Federal Match Revenue:

CHAIRMAN WEYLER: Moving on to the Regular Calendar on Tab 11. First item 23-035, Department of Health and Human Services, Division of Finance and Procurement. Any discussion on this? I think I see some questions both from the Senate and from Representative Erf. I think you're --

REP. ERF: No.

CHAIRMAN WEYLER: You had no questions on this one. All right. Any Senator -- any Senator had a question? There was some indication from the LBA that the Senate had some question on this. Senator Rosenwald is recognized.

SEN. ROSENWALD: I did. I think I had a couple of questions. On Page 4 in the APD Grants -- APTD Grants, you say that the caseloads are not back to pre-COVID levels. And I'm wondering if that is because we're having trouble getting determinations made

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or because -- um -- you can't -- we can't find the direct service providers to provide this service once the determinations are made? How -- why are those caseloads not back?

MR. WHITE: The acquired brain disorders. (Inaudible). Gonna have Chris Santaniello join me to answer that question.

CHRISTINE SANTANIELLO, Associate Commissioner, Department of Health and Human Services: Good afternoon. Chris Santaniello, Associate Commissioner. Can you repeat the question? I'm sorry.

SEN. ROSENWALD: So the APTD caseloads are not back to pre-COVID levels.

MS. SANTANIELLO: Yeah.

SEN. ROSENWALD: To what extent is that because we can't get the determinations done? And to what extent is it because once the determinations are done, there -- there's a lack of care providers to deliver the services?

MS. SANTANIELLO: Well, APTD is a cash payment. So it wouldn't be reliant on care providers. But I can go back and look at our most recent statistics, because we do track how many people are pending. I just don't have that with me.

SEN. ROSENWALD: Okay. Could I --

MS. SANTANIELLO: I will get that to you.

SEN. ROSENWALD: So on Page 12 under system of care, could you tell us why we've had delays in residential treatment contract approvals and have not been able to stand up the programs we've funded.

MR. WHITE: Sure. I mean, Katja Fox is going to join me here. I believe Katja will probably speak to general capacity issues; but go right ahead, Katja.

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KATJA FOX, Director, Division for Behavioral Health, Department of Health and Human Services: So good afternoon. I'm Katja Fox. I'm the Director of the Division for Behavioral Health. And the -- you're going to see repeatedly that we do have delays. We're appropriated funds that start July 1st. Well, of course, we have to go through quite a process to get those funds approved and that includes contracts. And we have contracts currently for children's residential treatment. I believe we have 46 programs. And so we're contracting extensively. And, therefore, by the time we -- we get those into place, time has passed and so not as many funds are needed or used.

Also, you also will note that -- um -- staffing capacity is a huge issue. So the use of the -- any housing and treatment, specifically for treatment, the capacity is not the full amount that we contract for. So, therefore, there are funds still available.

SEN. ROSENWALD: Thank you.

CHAIRMAN WEYLER: Further questions?

SEN. ROSENWALD: Yes. On same page, the Community Mental Health Programs Support. There's the contracts -- contract obligations have been less than anticipated due to delay of supported housing expansion. Where do we stand on contracting the second tranche of the supported housing beds that we've funded three or four years ago?

MS. FOX: So, again, thank you for that question. Um -- I do want to note that, yes, we -- we are transferring funds from this area. Um -- and because of the lack of our ability to stand up some beds, but we have in that -- in the meantime between State Fiscal Year 21 and 22, we still were able to stand up 52 beds, which is pretty significant considering the challenges in the housing market and with staffing.

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So I can get you the breakdown of where that growth has come and what types of beds, because a bed is not a bed. We have transitional housing. We have DRF beds. We have some permanent supportive housing. So there are a number of different areas and it's just not, you know, beds.

So -- so I can get you the breakdown of that. But that is a reality is, again, the delays in contracting, and providers' ability to be able to stand up these funds. We have a really, as you know, a really tight housing market and in order for them to stand up they have to have housing stock and the ability to -- to have that property.

As well is we have our Housing Bridge Subsidy Program, which is -- provides a bridge until someone can get on to a housing voucher, housing choice voucher. And what has happened is that even though we have a number of people who've been approved for those vouchers and for that bridge, they have been unable to secure housing. So we have about 25 percent of the people who have been approved are still out seeking an apartment.

SEN. ROSENWALD: Final follow-up, if I could. Um -- thank you for mentioning DRF beds, because I know that in the last year the Fiscal Committee approved some money to add to our stock of DRF beds. How many new DRF beds have we contracted for with the money we approved?

MS. FOX: So I would need to know what time frame you're looking at, and then I can get back to you.

SEN. ROSENWALD: Well, with the money we approved last year.

MS. FOX: I'll have to get back to you on that. As you know, again, workforce has been a huge challenge in being able to staff our beds.

SEN. ROSENWALD: Thank you. Thank you, Mr. Chair.

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CHAIRMAN WEYLER: Any further questions from a Committee Member on item number 23-035? Seeing none. I'll entertain a motion to accept. Senator Rosenwald moves to adopt the item. Senator D'Allesandro seconds. Further discussion. Seeing none, are you ready for the question? All in favor say aye? Opposed no? Item 23-035 is adopted.

***** {MOTION ADOPTED}**

(12) RSA 206:33-b, Transfers From Fish and Game Fund:

CHAIRMAN WEYLER: Moving on to 23-014, Tab 12, Transfers for Fish and Game Department.

****** REP. LEISHMAN: Move the item.

CHAIRMAN WEYLER: Representative Leishman moves to adopt.

SEN. BIRDSELL: Second.

CHAIRMAN WEYLER: Senator Birdsell seconds. Further discussion? Seeing none. Do you need --

REP. ERF: Yes, I further discussion. I tried to jump on you, I'm sorry.

CHAIRMAN WEYLER: All right. Senator Erf has a question for Fish --

REP. ERF: Representative.

CHAIRMAN WEYLER: Representative Erf. Senators over here, Representatives over here. Okay. Representative Erf has a question for Fish and Game.

SCOTT MASON, Executive Director, New Hampshire Fish and Game Department: Um -- good afternoon, Scott Mason, Executive Director of New Hampshire Fish and Game.

CHAIRMAN WEYLER: Good afternoon.

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DIANNE TIMMINS, Division Chief, Inland Fisheries Management, New Hampshire Department of Fish and Game: Good afternoon. Dianne Timmins, Inland Fisheries Division Chief, overseer of hatcheries and whatnot. Good afternoon.

CHAIRMAN WEYLER: Representative Erf is recognized for a question.

REP. ERF: Thank you, Mr. Chair, and thank you for taking my questions. I have two questions. They're related. Could you give me date certain when on-line renewals will be complete and, also, when on-line new registrations will be complete?

MR. MASON: I believe that's in the next item.

REP. ERF: Oh, am I on the wrong -- I apologize.

MR. MASON: No, that's fine.

CHAIRMAN WEYLER: It's spelled out in the next item?

MR. MASON: I believe so. You're -- you're referencing our OHRV on-line registration request.

REP. ERF: My bad.

MR. MASON: I'm pretty sure I got the right item.

CHAIRMAN WEYLER: Okay. So we're at -- we're at item number 23-014. We have a motion to accept and a second. Further discussion? Seeing none. All in favor say aye? Opposed no? Item FIS 23-014 is adopted.

***** {MOTION ADOPTED}**

(13) RSA 215-A:23, IX, and RSA 215-C:39, X, Registration Fees:

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CHAIRMAN WEYLER: Hang on. Thirteen, Item 23-015, and we have the right people here, I think. Director.

MR. MASON: Just a slight switch up in the team.

CHAIRMAN WEYLER: (Inaudible.) There was a question both from Representative Erf and a Senator. Senator Bradley.

SEN. BRADLEY: Let Representative Erf (Inaudible).

CHAIRMAN WEYLER: Representative Erf, question.

REP. ERF: Thank you, Mr. Chair, and Senator Bradley. I think you heard my questions and they haven't changed. The date certain for implementation of renewal registrations and then apparently separately for new registrations.

MR. MASON: Um -- what we originally negotiated with the snow machine and the ATV state organizations and the Legislature was to have on-line renewals up and running by September of '25. Once we have that program up and running and working successfully, we will then add new registrations to that.

REP. ERF: Follow-up.

CHAIRMAN WEYLER: Follow-up.

REP. ERF: So this is based on a bill, and maybe I misread it, and I think you actually quoted it in your Fiscal Note. I thought everything was supposed to be done by September of '25?

MR. MASON: Um -- it's our interpretation that what we agreed to was renewals by '25, and then new registrations immediately afterwards. Um -- there was a question that was brought through Captain Eastman asking if we could change the language in the bill so that they wouldn't have to come back after we did renewals for a separate bill, and we agreed to that; and, unfortunately, it's created some ambiguity into when we were going to develop renewals and new registrations.

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REP. ERF: Follow-up.

CHAIRMAN WEYLER: Follow-up.

REP. ERF: So one last question. When you say immediate -- the new will be available immediately after --

MR. MASON: As soon as we can. You know, we have to develop the system and get it up and running, so.

REP. ERF: Can you quantify that in terms of time; months, weeks, years?

MR. MASON: I can't just because this will be the first time I've been part of the development of a system. The on-line license sales for hunting and fishing licenses took several years to develop the whole program and get it up and running and going. Um -- hopefully, we'll be moving faster. I think the industry has certainly gone to more on-line venues, and I'm hoping that our service partners will be able to help us move forward more quickly.

Um -- part of the issue is, is that we are revamping a lot of our computer systems at Fish and Game, on-line registrations is just one of them. The Legislature has created a other requirement for us to have on-line deer registration in '24, on-line ATV registration in '25. Um -- we have picked up -- there was a bill passed -- um -- ten or 12 years ago that created -- it's part of a interstate compact that we -- that the State of New Hampshire joined. Uh -- so when you violate a hunting or fishing license, you will not be able to buy a license in any of the participating states. This is something that the State of New Hampshire agreed to ten -- it's either ten or twelve years ago.

So that program we're trying to get up and running for us, too. And at the same time we've -- that came through here last session, we received a GOFERR grant to upgrade our database systems. So in the next couple years we're going to have most

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of our folks involved in doing a bunch of different computer upgrades.

REP. ERF: Thank you.

CHAIRMAN WEYLER: Senator Gray or Senator Bradley has a question next.

SEN. BRADLEY: Um -- I think Representative Erf asked most of my questions, but I -- I guess I'd follow-up on why is it taking so long? As I recall, when we did the voluntary Hike Safe Card, which you administer and do a really good job of, it happened a lot sooner and quicker, and it's very easy.

MR. MASON: Yeah. The Hike Safe Card, I believe that was a much easier program to get up and running. Part of the problem here, right now when you come to register a machine -- um -- the process, obviously, you show up physically at a location, whether it be headquarters or one of our agents, pay your money, register your machine. You receive the registration sticker. So we have to set all of that -- that programming up, too. And it will be going through rulemaking. There will be quite a few steps for us to get the process up and running.

REP. WEYLER: Senator Gray for a question.

SEN. GRAY: Actually, more of a statement. I've got several constituents, along with several Senators, that are very interested in this. So when you come before Finance in the Senate, I would hope that you'll bring along an update on this and how that relates to your budget items. So appreciate that.

MR. MASON: Okay. Thank you.

CHAIRMAN WEYLER: Representative Edwards for a question.

REP. EDWARDS: Thank you. Thank you, Mr. Chairman. Thank you, Director Mason. Um -- my good friend and colleague, Representative James Spillane, e-mailed you on Wednesday morning?

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MR. MASON: Correct.

REP. EDWARDS: I -- I'm not looking for an answer to the question; but you're going -- you're going to answer him?

MR. MASON: Yes, I will.

REP. EDWARDS: Okay. I figured you would. And he points out that SB 1554 a few years ago said that all registration must be done by September 1, '25. Am I hearing you say that we're not going to meet that date or we will, but we're going to do it in phases?

CAPTAIN MICHAEL EASTMAN, Conservation Officer, New Hampshire Department of Fish and Game: Is that the right -- Captain Michael Eastman, Conservation Officer, law enforcement. I'm actually the Coordinator for OHRV Enforcement, Registrations, and Safety. I believe what he was -- what Representative Spillane was speaking about was RSA 215-a -- uh -- 45 and 215-c:59. And those are actually the laws that were -- that went along with -- with creating this on-line system.

What those say in our interpretation of them and what the intent of when -- and I was a large part of this -- was that we agreed to the renewal program. And what the law says is that we would -- that the Executive Director would basically put together what the proceedings for that would be or what the process would be for that, and not that -- that the process would be renewals and new, that it was actually the renewal program. And that that processes that came together, and that's the whole workings from going on-line and getting it or doing the registration, and then receiving it -- um -- afterwards is that process.

So, therefore, the law does -- does not specifically say that it has to be both. I mean, it's our intent and down the road that that would happen. Um --

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CHAIRMAN WEYLER: Follow-up.

REP. EDWARDS: So I -- I guess I'm kind of also just looking for a yes or a no. September 1, 2025 is the deadline. I understand that's what made it into law for all registrations. Are we going to meet that deadline? Are we going to get there in phases? Are we going to be late? I'm just looking for project status, not the whole detail.

MR. MASON: At this point, I would say that we will have renewal on-line done by September of '25. And then we -- as I say, we'll move into original registrations probably post-9/25.

REP. EDWARDS: All right. So may I recommend some public messaging? This is one of the few things where I'm already getting hate mail from constituents. So I'm really glad that it's not in DHHS. It kind of gives me something different to think about. Thank you.

CHAIRMAN WEYLER: Representative Erf.

REP. ERF: I'd just like to read the law. It states the Executive Director shall no later than September 1st, 2025, establish any procedures that may be necessary to enable the on-line payment of registration fees required or imposed under this chapter. And I've been getting, like others, I guess, mail from folks, not just regarding our constituents in New Hampshire, but apparently we're the only state in Northern New England that doesn't have this available. So out-of-state people tend to go to Vermont and Maine, even Massachusetts, because they can basically pop on-line, register their machine, and go snowmobiling; whereas, they can't do that and come to New Hampshire, which means we're losing, as I understand it, I'm not a snowmobiler, I'm not an expert, but we're losing tourist dollars. Thank you.

SEN. D'ALLESANDRO: Mr. -- Mr. Chairman.

CHAIRMAN WEYLER: Senator D'Allesandro for a question.

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SEN D'ALLESANDRO: Thank you, Mr. Chairman. I, too, have been receiving notices about this problem, about the registration. I think it's becoming a significant issue as to -- as to when it's going to be done and how it's going to be done. And there are those who believe you have the ability to do it now. And is -- is that the case? I mean, why is it being stalled?

MR. MASON: I don't believe we do have the ability to do it now, because we have other -- other issues that are facing the Department that are requiring us to move forward on. As I said, we're trying to come into compliance with a law that was passed ten or twelve years ago on hunting and fishing licenses, and we also have to come into compliance with the law on deer registration.

SEN. D'ALLESANDRO: Further -- further point.

CHAIRMAN WEYLER: Follow-up.

SEN. D'ALLESANDRO: I understand that and I appreciate that. But, indeed, if this isn't on your priority list, and there is -- there's law in place that says it should be done and people's perception is that it should be done, the public is -- is being confused at this point in time.

MR. MASON: It is on our priority list, but the Legislature's actually put it into at least third -- third on our priority list, not -- not first. And, also, as I -- the other issue is is our database issue that we're trying to solve and, of course, we have the time constraint on that, because it's GOFERR funding.

SEN. D'ALLESANDRO: Thank you, Mr. Chairman.

CHAIRMAN WEYLER: And we earlier did approve some Other Funds like from Northern Borders Region to the trails and so on. Is that -- any of that help speed this up?

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MR. MASON: Um -- no, that's not the source of the funding for this.

CHAIRMAN WEYLER: Representative Leishman for a question.

REP. LEISHMAN: Thank you, Mr. Chairman. And thanks for appearing today. So the question I have do you not have the adequate funding to take care of these upgrades or are you working with like our Department of Information Technology, or is this a contract that you're going to put out to do these upgrades or --

MR. MASON: Well, it's a contract, plus it's also internal staff time. It's the internal staff time is probably the largest limiting factor.

REP. LEISHMAN: Okay. Thank you. Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Any further questions from Committee Members? Seeing none. I'll entertain a motion to adopt 23-016.

** SEN. BRADLEY: So move.

SEN. BIRDSELL: Second.

MR. KANE: Excuse me, 23-015.

CHAIRMAN WEYLER: One five. Correct. Adopt 23-015. I've moved on.

REP. ERF: Was that Senator Bradley?

SEN. GRAY: Bradley -- Bradley still moves it.

CHAIRMAN WEYLER: Moved by Senator Bradley, second by Senator Birdsell to adopt 23-015. Further discussion? Seeing none. You ready for the question? All in favor say aye? Opposed no?

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REP. EDWARDS: I'm going to be a no. Just 'cause I think we need some attention on this.

CHAIRMAN WEYLER: All right. Eight to two sound accurate? We got to get something right here.

***** {MOTION ADOPTED}**

(14) RSA 604-A:1-b, Additional Funding:

CHAIRMAN WEYLER: All right. Moving on to FIS 23-016. Any questions on this?

****** REP. LEISHMAN: Move to adopt (Inaudible).

CHAIRMAN WEYLER: Representative Leishman moves to adopt. Is there a second?

SEN. BRADLEY: Second.

CHAIRMAN WEYLER: Senator Bradley seconds. Further discussion? Seeing none. Are you ready for the question? All those in favor say aye? Opposed no? We've adopted 23-016.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: Moving on to Item 23-038.

****** SEN. D'ALLESANDRO: I will move the item.

SEN. BIRDSELL: Second.

CHAIRMAN WEYLER: Senator D'Allesandro moves to adopt 23-038. It's seconded by Senator Rosenwald. Any further discussion on this item?

SEN. GRAY: Birdsell.

CHAIRMAN WEYLER: Who was it, Birdsell?

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REP. ERF: You're killing me here.

CHAIRMAN WEYLER: I'm just hearing it from that side. I didn't see which one said it. All right. Senator Birdsell.

SEN. GRAY: I'll try to help.

CHAIRMAN WEYLER: Appreciate it.

SEN. BRADLEY: We're all the same.

SEN. BIRDSELL: Speak for yourself.

REP. ERF: Want to take a vote?

CHAIRMAN WEYLER: All in favor say aye? Opposed no? We have adopted FIS 23-038.

***** {MOTION ADOPTED}**

(15) Miscellaneous:

CHAIRMAN WEYLER: There is a late item which you have before you, 23-041. If you want a little time to look it over. This is from emergency relief, Governor -- the GOFERR funds, Governor's Office of Emergency Relief and Recovery. It's a request authorize to accept and expend funds in the amount of \$3,593,328 in American Rescue Plan Emergency Rental Assistance, financial assistance funds for use in the New Hampshire Emergency Rental Assistance Program, effective upon Fiscal Committee and Governor and Council approval through June 30, 2023. This is an allowable use of ERA2 funds under ARPA Section 3201(d) to provide financial assistance to eligible households as allowed by U.S. Treasury to help keep households stably housed. 100% Federal funds. Whenever you get through looking at it, I'll entertain a motion to adopt.

SEN. D'ALLESANDRO: Mr. Chairman, I got that -- I have a few questions with regard to this one.

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CHAIRMAN WEYLER: All right. Is it Director Caswell to answer it?

TAYLOR CASWELL, Executive Director, Governor's Office for Emergency Relief and Recovery (GOFERR): Yes, sir. Taylor Caswell here as Director of GOFERR and Chase Hagaman who's our Deputy Director.

CHAIRMAN WEYLER: Representative Edwards is recognized for a question.

REP. EDWARDS: Thank you, Mr. Chair. Good seeing you again, Director Caswell. Last time we met was not that long ago, and -- and I asked you a tough homework problem. I asked you if we had any statistics that would tell us what our vacancy rate is on rental units in New Hampshire, what amount of the total stock is being consumed by people without any assistance, and what the percentages are around how many units are being rented with rental assistance.

I posited the theory that our vacancy rate is so small that the supply is so tight that any amount of money that we put into chasing that scarce supply is probably going to have an abnormal disproportionate inflationary effect. That's all from my Econ 101 forty years ago. So -- so I was asking you if -- what you thought of that theory and if you had any data. And so could you tell us?

MR. CASWELL: Well, I mean, we did go back and look at if there was any obvious sort of research or data that spoke to the issue of rental subsidy and availability of rental units anywhere in the United States. There isn't anything that we found. But we have posed that question with some of our partners at New Hampshire Housing Finance Authority to see if there is anything out there that can speak to that.

As I think we mentioned at the time of our conversation, having said that, it -- the -- the level of subsidy that comes to the housing market generally, outside of this program, outside of really sort of any other program that we've talked

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about, at least that I've been involved with on the housing side, is -- is substantial in the United States. You have subsidies that are for developers, subsidies that are for owners, subsidies that are for tenants, landlords, all fairly substantial and all mostly, at least in our case here in New Hampshire, all administered and funded by the Federal Government.

So, in this case, this particular program was established in March of 2021 in reaction to the COVID Pandemic. So these funds are specifically for a population that could demonstrate an impact from COVID and, in most cases, is assisting those individuals to stay in the housing that they were already in.

CHAIRMAN WEYLER: Follow-up.

REP. EDWARDS: Okay. So I appreciate this is really a complex area. I'm predisposed to approving this. I -- I -- I -- I -- I just lose just a little bit of sleep at night thinking that in the attempt to do good by providing rental assistance into a market that has a very tight scarcity of vacancies that we may accidentally be doing harm to the people that don't have rental assistance because their rents will go up without the kind of help that others are getting. So -- so just as -- that's me telling you I can't sleep well at night. The -- the -- the -- the -- the part I do want to tell you about is that I've been talking to Mr. Ben Frost.

MR. CASWELL: Yes.

REP. EDWARDS: And in the last couple of days communicated with him, and it seems to me like he understands the kind of problem I'm concerned about, and that he's researching it and trying to pull together as much data as he can. So to the extent that you guys are in communication, you know, maybe -- maybe you can come up with a better product.

MR. CASWELL: Yeah, we work with them regularly, and I'm aware of that -- that effort. Yes, sir.

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REP. EDWARDS: All right. Thank you.

CHAIRMAN WEYLER: Senator Bradley has questions.

SEN. BRADLEY: (Inaudible).

CHAIRMAN WEYLER: Senator D'Allesandro has a question.

SEN. D'ALLESANDRO: Thank you, Mr. Chairman. First of all, thanks for coming before us with the late item. Temporary housing, where are these -- are these people all hotel people?

MR. CASWELL: No, sir. That's a separate issue, as you know, that we've discussed in the past. So these are -- this is the -- what we call now the regular emergency rental assistance program that is administered by NHHFA for people who are in housing already.

SEN. D'ALLESANDRO: Further question. Now, when you -- when you say in housing already, what housing are we talking about?

MR. CASWELL: It could be any type of housing, rental housing in the state that they're -- that they applied for funding under this program through their local CAP and that -- that those rents are funded under this program.

SEN. D'ALLESANDRO: So further question.

CHAIRMAN WEYLER: Follow-up.

SEN. D'ALLESANDRO: So could this be the hotel situation?

MR. CASWELL: Could this -- you mean, could we be paying -- is that right? We could be, yes.

SEN. D'ALLESANDRO: Yes. Okay. And just one last item. This is -- this is a situation that has a very finite value. And -- and the question is what's next? And when the subsidy disappears, that's -- that's a problem, but where do the people go? To me, that's the real problem.

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MR. CASWELL: I agree. And there are, you know, with this program, as we've discussed before, there are a large number of services that are also funded under this program that are just for that purpose. Because, obviously, when this program began, we began this program back in 2021 with the full knowledge that it was a finite amount of resource that was going to be available.

SEN. D'ALLESANDRO: Right. Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Senator Birdsell for a question.

SEN. BIRDSELL: Thank you, Mr. Chair. Thank you for taking my question. Do we know how much of this -- this rental assistance actually goes to the landlords?

MR. CASWELL: A good portion -- all of it does.

SEN. BIRDSELL: Does it go directly to the land --

MR. CASWELL: Yes.

SEN. BIRDSELL: Follow-up.

MR. CASWELL: Yes, ma'am.

SEN. BIRDSELL: Oh, okay. Thank you.

CHAIRMAN WEYLER: Recognize Senator Bradley for a motion.

SEN. BRADLEY: (Inaudible).

CHAIRMAN WEYLER: Got a question first from Senator Leishman -- Representative Leishman.

REP. LEISHMAN: I'll take that a second time. That's fine.

CHAIRMAN WEYLER: I thought I'd only make it once.

REP. LEISHMAN: A follow-up, if I could, to Senator Birdsell's question. What is the amount of money per individual

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landlord? Do you have like a rough estimate? Are they getting 500, a thousand dollars a month, and how many families are affected by this?

MR. CASWELL: I'll ask Chase to answer that.

CHASE HAGAMAN, Deputy Director, Governor's Office of Emergency Relief and Recovery: Chase Hagaman, Deputy Director at GOFERR. It's a great question, Representative. The amount of money -- the amount of money awarded assistance is -- is tracked per household. The program is just structured so that the landlord is largely almost exclusively paid directly as opposed to giving the funds to the tenant to then give it to the landlord.

The assistance -- assistance number per household has grown over time as you might expect since it's been going on for a couple years. I believe it's around between nine and \$10,000 on average per household over the course of the program.

REP. LEISHMAN: Follow-up. Per household per year, per month?

MR. HAGAMAN: On average over the whole program. You max out in assistance at 18 months for the program. So it's a per household over the life of their eligibility.

REP. LEISHMAN: Thank you, Mr. Chairman. Thank you.

CHAIRMAN WEYLER: Okay. I have a motion from Senator Bradley to approve 23-041.

SEN. BIRDSELL: Second.

CHAIRMAN WEYLER: A second by Senator Birdsell. Further discussion? Seeing none. You ready for the question? All in favor say aye? Opposed no? Item 23-041 is adopted.

*** {MOTION ADOPTED}

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(16) Informational Materials:

CHAIRMAN WEYLER: On the Informational Materials, anybody have any questions that they want to call up some group for? Senator Rosenwald is recognized.

SEN. ROSENWALD: On the DHHS Dashboard I have one question.

CHAIRMAN WEYLER: Okay. Item 23-040, the Dashboard, we have a question.

SEN. ROSENWALD: Thank you. Um -- on Table 8 of the Dashboard -- um -- the adult -- adults seen in the Community Mental Health System. That caseload is still running at 50% of pre-pandemic levels. Um -- I know there are a lot of vacancies in that system, but what are we going to see from the Department to increase the number of people who get treated in the community before they end up in a full-blown crisis stuck in the Emergency Department waiting for a bed at the most expensive, most restrictive places.

MS. FOX: So, again, for the record, I'm Katja Fox. I'm the Director of the Division for Behavioral Health.

The issue of those numbers has come up previously and I believe that you raised that. That data is pulled from a financial system and really fluctuates. That's why you see a dip, and then you see an increase based on invoicing. So we are going to be changing that information.

We ran the numbers yesterday with Data Analytics to look at the actual numbers that are through a different system, through a different claim system and how we categorize the -- the data coming in and information coming in.

You are going to see, and I can provide to the Committee the actual increase in the number of individuals who've been served in the last three or four years. So you're going to see an increase, not what you're recognizing in the data, and that is part of the discussions that we've had about overhauling the

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entire Dashboard, and this is one area that we want to focus on. So I'd be happy to provide that information that was run yesterday.

SEN. ROSENWALD: Are we going to start seeing these correct numbers soon?

MR. WHITE: So it will probably still be a couple of months before we have an updated Dashboard. Capacity is an issue. You've seen our vacancy rates north of 20%. So finding the time to -- to devote to that update has been challenging.

However, what we do want to do with the new Dashboard is provide more visual demonstration and charts so that you're not having to go through each one of these to come to your own conclusion. That you'll see some more, whether it's pie charts or trends or graphs with trend lines. It'll be a little bit easier for everybody to quickly look at that and pull away the conclusions. So within the coming months, but it is certainly an overhaul and an effort to get that done.

SEN. ROSENWALD: Thank you.

CHAIRMAN WEYLER: Any other questions on the informational items that the Committee wishes to have answered? All right. Seeing none. Steve Smith, is any of your other audit people that have been recognized here in this item, the NCSL? You're the only one?

MR. SMITH: (Inaudible).

CHAIRMAN WEYLER: Let's -- referring us to item 22-429, Certificate of Impact for the 2019 Performance Audit of the Adult Parole Board, his recognition by the National Conference of State Legislators, National Legislative Program Evaluation gave them a Certificate of Impact. And so I wish to have us all recognize the Performance Audit Section for the fine work they do. And, finally, others have been -- have been recognizing it as well. So let's put this on the agenda again in case some of these people show up another time. I do -- I do want to have

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some recognition for your staff and I appreciate all the work you do.

MR. SMITH: Thank you. I'll definitely pass that along.

CHAIRMAN WEYLER: What's that?

REP. ERF: They're probably enjoying themselves.

MR. SMITH: They deserve more credit than I do, so.

AUDITS:

CHAIRMAN WEYLER: All right. So now we move on to the audits and recognizing Stephen Smith, Director of Audits.

MR. SMITH: Okay. Thank you, Mr. Chair. Um -- I was advised that going back to the State ACFR, which KPMG presented, Admin Services doesn't have any prepared comments at this time. So unless there's no questions -- the Committee has any questions, we can move into the Turnpike presentation.

CHAIRMAN WEYLER: Any questions on any of the audits that we had covered earlier by KPMG? Seeing none, we'll move on to the Turnpike audit, which we have already had a motion to accept, place on file, and release in the usual manner. So now we're going to have a little discussion of it.

MR. SMITH: Joining me at the table is Bob Mahoney. He's the Partner with KPMG that did the Turnpike audit. And from the system is Danielle Chardonnet?

DANIELLE CHANDONNET, Director of Finance, Department of Transportation: Chardonnet.

MR. SMITH: Chardonnet. Got close there. And Andre Briere, the Deputy Commissioner. So I'll turn it over to Mr. Mahoney.

ROBERT MAHONEY, Partner, KPMG: Thanks, Steve. Again, for the record, Bob Mahoney, Audit Partner with KPMG.

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So in the materials you should have a copy of the Turnpike financial statements, as well as the internal control over financial reporting and compliance and other matters, also known as the Yellow Book Report. And, lastly, the Debt Compliance Letter. I'll first speak to the financial statement.

So the Opinion on the Turnpike financial statements this year was unmodified. Also known as a clean opinion. So congratulations to Danielle and her team for all the hard work that they do to prepare the financial statements.

The Opinion indicates that Management is ultimately responsible for the accuracy of the financial statements, and we are responsible for expressing an opinion on the financial statements. We conducted our audit in accordance with Generally Accepted Auditing Standards in the U.S., as well as Government Auditing Standards.

In addition, the Opinion of References, the separate report, which I indicated earlier the report on internal control of financial reporting and compliance. In that report you will see that we did identify one significant deficiency during the course of the audit related to the Turnpike System's implementation of the GASB 87 lease standard which was new this year. Management did not properly reflect the accounting in the initial draft of the financial statements related to an existing ground lease.

So that was corrected in the financial statements that were, ultimately, issued; but we did identify a significant deficiency. However, we did not identify any material weaknesses in internal control in that report. So you will see that and happy to answer any questions as well.

And then, lastly, the Debt Compliance Report, that -- that report basically indicates that we reviewed the provisions and covenants associated with the bond resolutions of the Turnpike and determined that the Turnpike was in compliance with the covenants and provisions.

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Um -- and, lastly, I'll just go through some of the required communications to the Committee. So there were no significant and unusual transactions during the course of the audit. There was one uncorrected misstatement which is consistent with prior years related to the fact that the Trusted OPEB Liability does not get allocated to the Turnpike. The State records the entire Trusted OPEB Liability on its financial statements. So that continues to be an uncorrected misstatement. Again, only \$1.1 million that's not allocated to the Turnpike.

Um -- as I mentioned, no --

REP. EDWARDS: Excuse me.

MR. MAHONEY: Sure.

REP. EDWARDS: Mr. Chair.

CHAIRMAN WEYLER: Representative Edwards is recognized.

REP. EDWARDS: Is OPEB, is -- is that an acronym? And if you're going to use acronyms for civilians, could you spell it out the first time you use it, please?

MR. MAHONEY: Yeah. Other Post-Employment Benefits.

REP. EDWARDS: That's great. Thanks. And I know what a FASB (sic) is, but you said that we had a material weakness on an aspect of it. I didn't -- I didn't pick it all up.

MR. MAHONEY: Sure. It was -- it was related to the GASB standard number 87.

REP. EDWARDS: GASB, government.

MR. MAHONEY: Yes.

REP. EDWARDS: Okay, yeah.

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MR. MAHONEY: The Government Accounting Standards Board statement.

REP. EDWARDS: All right Thank you.

MR. MAHONEY: Sure. So we did evaluate the significant accounting policies that the Turnpike has in place and determined that they were reasonable. There was no fraud or illegal acts that we identified during the course of the audit. We did not have any disagreements with Management and we did not encounter any significant difficulties during the course of the audit either. And, lastly, we are independent with respect to the Turnpike as well.

So happy to answer any questions. And, Danielle, if you have any prepared remarks or, Andre, feel free.

ANDRE BRIERE, Deputy Commissioner, Department of Transportation: Mr. Chairman, Members of the Committee, we -- as you know, our Turnpike System is an economic engine for the state. As such, it's incredibly important for us that we're transparent and we're following good accounting practices. We appreciate KPMG's audit. In fact, we -- we welcome audits to this system and to all of our DOT activities. It helps us know where to focus attention. In this case there was one finding that we agree with and we're -- we've taken the steps necessary to correct that in future audits.

CHAIRMAN WEYLER: It wasn't clearly understood this GASB 89 which hasn't been in effect before. How does this work, this land lease that had to be recorded some different way?

MR. MAHONEY: Did you want to take it or do you want me to? Yeah. So for the first time, these lease -- this particular ground lease, which is a lessor arrangement, ultimately had to get recorded as a lease receivable and associated deferred inflow on the face of the balance sheet within the financial statements for the first time. Whereas, previously, it was just disclosed in the notes of the financial statements. And the expenditure associated with, you know, leases, in general, are

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recorded -- used to be recorded on the statement of activities or the statement of revenues and expenses.

REP. WEYLER: Wasn't as if it had been deleted. It was just not put in the right section.

MR. MAHONEY: Right, essentially. It wasn't reflected on the face of the statements in accordance with the new prescribed rules under GASB 87.

CHAIRMAN WEYLER: Is that a new rule?

MR. MAHONEY: Yes, it is. It was effective for the Fiscal 2022 Audit.

CHAIRMAN WEYLER: So they come around with a new rule after you've filled out your spreadsheets and said we've changed our mind. You did it wrong. This is tough. I pity you. Senator Gray for a question.

SEN. GRAY: My question is about the uncorrected item. Okay. Who in your Department is doing it? Uh -- is it one we are going to correct or seek other remedy. And then, overall, for even Administrative Services or the LBA, you know, who is tracking these statewide so that we're looking at them before the audits start to see if, you know, they are -- have a timeline to correct these things. And so I'll let you answer your piece for your item. And then I'll, hopefully, get input either at this meeting or at other meetings. I know that Administrative Services doesn't seem to be paying attention to me. So -- so they may get a surprise at the end of this.

MS. CHANDONNET: So there was a decision made at the statewide level to not -- to not do this. And it's probably something that the DAS could speak to later. It's not -- it's not something that the Turnpike System has done or can do on their own.

SEN. GRAY: No, it didn't answer the question; but I think that Administrative Services may want to talk to me afterward. Thank you.

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CHAIRMAN WEYLER: Further questions on the Turnpike audit system? Do I -- did I read in here that your shortest turnpike, the Blue Star, takes in the most revenue?

MR. BRIERE: I believe that's true, yeah.

CHAIRMAN WEYLER: It costs the people of Maine to get through New Hampshire.

MR. BRIERE: We don't mind that, Mr. Chairman.

CHAIRMAN WEYLER: But they don't pay their share of the bridge. Okay. I believe it's been moved and adopted to accept this, place on file, and release in the usual manner. Any other questions on the Turnpike audit? I sympathize with you on that GASB. All right.

MR. MAHONEY: Thanks.

CHAIRMAN WEYLER: Do we have the Liquor Commission as well or has that been done?

MR. SMITH: We have the next is Lottery.

CHAIRMAN WEYLER: Lottery.

MR. SMITH: Mr. Chairman, next is Lottery, then followed by Liquor. Joining me at the table is Kimberly Bisson. She was the Manager on this for our office and also joining us from the Commission is Director McIntyre and Jim Duris, CFO. So, with that, Kim will present the audit report.

KIMBERLY BISSON, Audit Manager, Audit Division, Office of Legislative Budget Assistant: Good afternoon, Mr. Chairman, and Members of the Committee. For the record, my name is Kimberly Bisson. We're here today to report the results of our audit of the financial statements contained in the New Hampshire Lottery's Annual Comprehensive Financial Report referred to as the ACFR for the Fiscal Year ended June 30th, 2022. The financial

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statements begin on Page 46 of the report. Lottery Management is responsible for the preparation and fair presentation of these statements in accordance with generally accepted accounting principles.

Our Auditor's Report and Opinion dated December 19th, 2022, can be found -- excuse me -- found on Pages 27 through 30 in the financial section of the report. As noted in the Opinion paragraph on Page 27, we issued an unmodified or clean opinion on the Lottery's basic financial statements, which also include the notes and other supplementary information.

While our Opinion speaks directly to the basic financial statements and notes, no matters came to our attention that caused us to believe that other financial -- other information in the financial section of the report was inconsistent with the basic financial statements.

Auditing standards require we make a number of disclosures to you. These disclosures were previously discussed by KPMG and are also included in our required communication handout inserted into your report.

In the interest of time, I will not go through each of them individually. However, we can say that we were satisfied with the cooperation of the Lottery and the progress of the audit, and there is nothing we need to bring to the Committee's attention related to any concerns with those required disclosures.

In accordance with Government Auditing Standards, we'll be issuing a report on our consideration of the Lottery's internal control over financial reporting and on compliance and other matters as a byproduct of our audit of the financial statements and that report will be included in the Management Letter, which will be presented to this Committee at a future meeting.

This concludes my presentation. I'd like to thank Lottery Management and staff for their assistance during the audit. And with your permission, I'll turn the presentation over to

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Director McIntyre, who can provide Management's perspective on the report. Thank you.

CHAIRMAN WEYLER: Director McIntyre.

CHARLES MCINTYRE, Executive Director, New Hampshire Lottery Commission: Mr. Chairman, good afternoon, Members of the Fiscal Committee. I have the privilege of being the Director of Lottery, Charlie McIntyre. And with me is our Chief Financial Officer, Jim Duris as Steve Smith described.

Just want to thank the LBA staff. As you folks know, we are audited annually, and it's always been a collaborative and helpful process. I just want to thank Kimberly and the rest of her team and Steve and his team for their efforts; and, certainly, welcome any questions you have, Mr. Chairman, Members of the Committee.

CHAIRMAN WEYLER: Questions from the Committee Members? Congratulations on another great year, Director McIntyre.

MR. MCINTYRE: Yes, sir. It's our third or fourth record year in a row, sir.

CHAIRMAN WEYLER: You do good work.

MR. MCINTYRE: We try.

REP. EDWARDS: (Inaudible.)

CHAIRMAN WEYLER: I'm pleased with your colorful report. All right. We move on to Liquor or --

MR. SMITH: Yes, Mr. Chairman. Last -- last audit is the Liquor Commission, also performed by our office. And joining me is Jim LaRiviere. He's the Manager on this audit, and from the Commission Chairman Mollica and the CFO Tina Demers. So Jim will present our audit report.

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JIM LARIVIERE, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant: Good afternoon, Chairman Weyler, and Members of the Committee. Again, for the record, my name is Jim LaRiviere. We are here today to report the results of our audit of the financial statements contained in the New Hampshire Liquor Commission's Annual Comprehensive Financial Report for the Fiscal Year ended June 30th, 2022.

Our Auditor's Report and Opinion dated December 20th, 2022, can be found on Pages 11 through 14 in the financial section of the report. As noted in the Opinion paragraph on Page 11, the financial statements are presented fairly in all material respects, in accordance with Generally Accepted Accounting Principles. An important item to note is no material adjustments to the accounting records were proposed as a result of our audit.

Similarly, and what you heard earlier from KPMG for Turnpike's Audit, due to the State's decision not to flow the New Hampshire Retirement System sub-trust other post-employment benefit expense and liability down to the enterprise fund financial statements, we identified a significant, but not material, uncorrected misstatement understating the Liquor's Commission other post-employment benefit expense and related liability by approximately 3.3 million.

Auditing standards require that we make a number of disclosures to you, which were discussed earlier by KPMG in their presentation, and are included in our other required communications handout included with your report. I will not discuss each item individually but would like to note that there was nothing that I need to bring to your attention regarding required disclosures.

In accordance with the Commission's internal control over financial reporting compliance and other matters, as a byproduct of our audit of the financial statements, in our Management Letter that will be presented to this Committee at a future meeting.

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I would like to thank the Liquor Commission's Management and staff, as well as the Department of Administrative Services, for their cooperation and assistance throughout the audit. This concludes my part of the presentation. And with your permission, Chairman Weyler, I'd like to turn the presentation over to Liquor Commission Chairman, Chairman Mollica.

CHAIRMAN WEYLER: Welcome.

JOSEPH MOLLICA, Chairman, New Hampshire Liquor Commission: Thank you, Mr. Chairman, Members of the Committee. Good afternoon. For the record, I'm Joseph Mollica, Chairman of the New Hampshire Liquor Commission. And with me is Tina Demers, our CFO.

We'd just like to thank Jim and his team for all the hard work that they've done. Steve and Jean as well. They come and we get an audit every year. So we're audited yearly and we welcome those audits, and they are always beneficial to us. We're happy to take any questions that you may have. Thank you.

CHAIRMAN WEYLER: You know, it seems that people that get audited every year are always happy and cooperative and the ones that every fifth year or so say what's the matter with you? You know, what are you nitpicking me for? You know, maybe we need to audit everybody every year, huh?

SEN. GRAY: Calm down, calm down.

CHAIRMAN WEYLER: Any questions from the Committee? Representative Leishman.

REP. LEISHMAN: Thank you, Mr. Chairman, and thanks for taking my question. So I noticed on Page 46 of the report, due to other State Agencies, almost \$8 million in the previous year was like \$623,000. Is there any reason why something is not being given to the other State Agencies at this moment or just not get the checks out yet?

TINA DEMERS, Chief Financial Officer, New Hampshire Liquor Commission: That is due to a timing of cash flow. So at the end

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of the year based on our payables and what we have coming in for cash, if we have a negative cash at that time it becomes a due to other State Agencies because we're pooled cash with Treasury.

REP. LEISHMAN: Further question, if I could?

CHAIRMAN WEYLER: Further question.

REP. LEISHMAN: Thanks, Mr. Chairman. So I did notice my Town of Peterborough the sales were off by a half a million dollars and the largest liquor store in Nashua, I think, was off more than \$10 million and your overall revenues are off about \$31 million. Can you explain why there's been such a decline in over the last year? Are people going elsewhere or --

MR. MOLLICA: No, I don't think people are going elsewhere, Representative. I think we peaked during the COVID -- during the COVID incident. People were staying at home. There certainly was a lot more purchasing going on at our stores, and that's -- that's declined some since then.

REP. LEISHMAN: I guess I don't have anything.

MS. DEMERS: And just to add further to that. If you look at our sales in comparison to pre-COVID, we still have a significant growth over 2020.

MR. MOLLICA: You see that bump there, but if you go back to the pre-year, we're right on target.

REP. LEISHMAN: Thank you, Chairman. People getting out and about the sales would actually and have increased but we'll see how it goes. Thank you very much.

MR. MOLLICA: Your welcome.

REP. LEISHMAN: Thank you, Mr. Chairman.

CHAIRMAN WEYLER: What we've noted in the past is this agency is very quick at opening a new place when a previous one

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was showing a decline in sales. They quick react to something if their sales are falling off. They'll open a store elsewhere, try to pick up that revenue. But they're very quick I see in responding to the market. I'm impressed with it. But I don't know why -- what's going on in Peterborough. I'm not responsible for any of this. I gave up drinking. Sorry about that.

MR. MOLLICA: Thank you for the compliment, Mr. Chairman. We do our best. Thank you.

CHAIRMAN WEYLER: Anything further from the Committee? Congratulations! You run a good operation.

MR. MOLLICA: Thank you, Mr. Chairman. Thank you, Members of the Committee. Greatly appreciate it. Thank you.

CHAIRMAN WEYLER: Anything further? Michael Kane, do you have anything further that we need to do?

(17) Date of Next Meeting and Adjournment

MR. KANE: Just discuss the date of the next meeting. The -- it's up to the Committee. The third Friday if you stay on the third Friday that would be February 17th. It's up to you if that works for the Committee. Uh -- the following week is the 24th.

REP. EDWARDS: Mr. Chair, if we're anticipating absences, I know I will not be here April 21st. I don't know if that's going to be a Fiscal day or not, but I'm out of the state.

CHAIRMAN WEYLER: All right. But you'll be here on the 17th?

REP. EDWARDS: Yes, sir.

CHAIRMAN WEYLER: All right.

REP. EDWARDS: I'm talking April.

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CHAIRMAN WEYLER: Oh, well, we're not going that far ahead yet. February 17th. Is that check? Senate's okay?

SEN. BIRDSELL: Is that -- I'm sorry, Mr. Chair. Is that going to be another afternoon meeting?

CHAIRMAN WEYLER: It's going to be what?

SEN. BIRDSELL: Is it going to be another afternoon meeting?

CHAIRMAN WEYLER: That one I'll put at 10 o'clock if that works for everybody or do you prefer the afternoon?

SEN. BIRDSELL: Well, I have a -- I have a Transportation Council meeting, but I can probably get somebody to sit in for me on that one.

CHAIRMAN WEYLER: What time is your Transportation?

SEN. BIRDSELL: Nine to 10:30.

CHAIRMAN WEYLER: All right. Would you prefer an afternoon?

SEN. BIRDSELL: I'll get someone to sit in on New Hampshire Transportation Council.

(Inaudible.)

CHAIRMAN WEYLER: Ten o'clock is the preferred time. Sorry. All right. Ten o'clock. Friday, February 17th will be our next Fiscal meeting.

REP. ERF: 10 a.m.

CHAIRMAN WEYLER: 10:00 a.m. Thank you all for your attendance and thank you for my alternate members for staying in the loop. Appreciate your -- your attention. So when these items come up again if they repeat, you'll know all about them. Very good. It's unusual to have all the alternates always show up,

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but I don't mind it. All right. Are we ready for the adjournment?

** UNIDENTIFIED SPEAKER: So move.

SEN. BIRDSELL: Second.

CHAIRMAN WEYLER: Move to adjourn and second. All in favor say aye? We are adjourned. Thank you very much.

(Audio ended.)

C E R T I F I C A T E

I, Cecelia A. Trask, a Licensed Court Reporter, do hereby certify that the foregoing is a correct transcript from the YouTube video/audio recording of the Fiscal Committee meeting on Friday, January 27, 2023, and has been transcribed to the best of my professional skill and ability.

Cecelia A. Trask, RMR, CRR
NH Licensed Court Reporter #00047

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