

JOINT LEGISLATIVE FISCAL COMMITTEE

Legislative Office Building, Rooms 210-211

Concord, NH

Friday, February 17, 2023

MEMBERS PRESENT:

Rep. Kenneth Weyler, Chair

Rep. Keith Erf

Rep. Jess Edwards

Rep. Mary Jane Wallner

Rep. Peter Leishman

Rep. Mary Heath (Alt.)

Rep. Maureen Mooney (Alt.)

Rep. Gerald Griffin (Alt.)

Sen. James Gray

Sen. Jeb Bradley

Sen. Regina Birdsell

Sen. Lou D'Allesandro

Sen. Cindy Rosenwald

(1) Acceptance of Minutes of the January 27, 2023 hearing

KENNETH WEYLER, State Representative, Rockingham County, District 14: Good morning. It being 10 o'clock, I'll call the Fiscal Committee to order for February 17th meeting and entertain a motion to accept the minutes of January 27th.

****** JESS EDWARDS, State Representative, Rockingham County, District #31: So moved.

CHAIRMAN WEYLER: Have a motion and second. Motion by Representative Edwards, second by Senator Gray to adopt the minutes. Got to remember to spell that out. All in favor say aye? Opposed? Motion is adopted.

***** {MOTION ADOPTED}**

(2) Old Business:

CONSENT CALENDAR

CHAIRMAN WEYLER: We have no Old Business. And from Tab 3 all the way through Tab 10 we have all of that is on a Consent Calendar because it's all fairly routine things with the following exceptions. Under Tab 8, Representative Edwards has removed FIS 23-058. He's also removed under Tab 9 FIS 23-044.

Senator Gray has removed FIS 23-050. I would also note that item FIS 23-053 has been withdrawn, and those are the items that are withdrawn from the entire Consent Calendar, Tabs 3 through 9.

LOU D'ALLESANDRO, State Senator, Senate District #20: Mr. Chairman, I wonder if I could --

CHAIRMAN WEYLER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you. I wonder if I could have FIS 23-064 removed.

CHAIRMAN WEYLER: On -- under Tab 9?

SEN. D'ALLESANDRO: Tab 5.

CHAIRMAN WEYLER: Tab 5.

SEN. D'ALLESANDRO: Yes.

CHAIRMAN WEYLER: 23-064 is removed by Senator D'Allesandro. Anything else --

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

CHAIRMAN WEYLER: -- from any of the Members? Okay. I'll entertain a motion to adopt the rest of the Consent Calendar.

****** JAMES GRAY, State Senator, Senate District #06: So moved.

CHAIRMAN WEYLER: Senator Gray moves.

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

JEB BRADLEY, State Senator, Senate District #03: Second.

CHAIRMAN WEYLER: Second by Senator Bradley. Further discussion? Seeing none. All in favor of adopting the Consent Calendar with the aforementioned items removed, all say aye? Any opposed say no? Okay. The rest of the Consent Calendar is adopted.

*** {MOTION ADOPTED}

(5) 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: And we'll move to the -- we will now move to the removed items. First item, I guess, being under Tab 8. No, Tab -- wait a minute -- Tab 5, the one we just removed, 23-064, which will involve the Department of Transportation. If there's anybody here, we'll have a question. Thank you, and will you please identify yourselves?

ANDRE BRIERE, Deputy Commissioner, Department of Transportation: Morning, Mr. Chairman, Members of the Committee. I'm Andre Briere, Deputy Commissioner, NH-DOT.

MICHAEL SERVETAS, Director of Operations, Department of Transportation: Good morning. I'm Mike Servetas. I'm the Director of Operations at NH-DOT.

CHAIRMAN WEYLER: Thank you for coming. Representative D'Allesandro is recognized for a question. Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you, Mr. Chairman, and thank you for coming. I just wondered why -- why wasn't any Manchester project considered with this 10 million?

MR. BRIERE: Why -- why they were not?

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

SEN. D'ALLESANDRO: Yes. Why -- there's nothing for Manchester in this -- in this document; right?

MR. BRIERE: Okay. Yes, sir. Um -- this consolidated list was vetted through the various Congressional offices with direct input from the communities. I know Manchester -- uh -- also had a RAISE grant, you know, kind of simultaneously they were working. I would have to get with the City itself to understand exactly the logic of -- of what was submitted and what wasn't, sir.

SEN. D'ALLESANDRO: Okay.

MR. BRIERE: We can get back to you on that if you like.

SEN. D'ALLESANDRO: Would you?

MR. BRIERE: Yes.

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

CHAIRMAN WEYLER: Any further questions from the Committee Members. On the item the Lebanon, Mechanic Street Sideway -- Sideway Project, is that a sidewalk or a sideway, and what is a sideway?

MR. BRIERE: Yeah, that's an excellent question, sir. That would be my assumption; but, again, I'd have to go and look at that.

CHAIRMAN WEYLER: Okay. But it's -- I've never heard of a sideway.

MR. BRIERE: I haven't either.

CHAIRMAN WEYLER: Okay. Likely a sidewalk. All right. Shall we adopt the item, Committee Members? All right. Senator -- Senator Gray moves approval. Senator Rosenwald

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

seconds. Are there any further discussions on the item? Seeing none. Are you ready for the vote? All in favor say aye? Opposed no? It is adopted.

***** {MOTION ADOPTED}**

MR. BRIERE: Thank you, sir.

(8) RSA 9:16-c, I, Transfer of Federal Grant Funds and RSA 124:15, Positions Authorized:

CHAIRMAN WEYLER: Would be under Tab 8. It is -- it is Item 23-043, Department of Health and Human Services. And please introduce yourselves and welcome to Fiscal Committee.

NATHAN WHITE, Chief Financial Officer, Department of Health and Human Services: Good morning, Members of the Committee.

CHAIRMAN WEYLER: Wait a minute. What are you lacking?

REGINA BIRDSELL, State Senator, Senate District #19: Tab 9, Mr. Chair.

KEITH ERF, State Representative, Hillsborough County, District #28: Oh, Tab 9.

CHAIRMAN WEYLER: There was a Tab 23-058, Health and Human Services. Two three zero -- you got it? All right. Welcome. Please introduce yourselves.

MR. WHITE: Thank you, Mr. Chair. Good morning, Members of the Committee. My name is Nathan White, Chief Financial Officer with the Department of Health and Human Services.

MELISSA HARDY, Director, Division for Long-Term Supports and Services, Department of Health and Human Services: Good morning, Committee. My name is Melissa Hardy. I am the Division Director for Long-Term Supports and Services.

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

CHAIRMAN WEYLER: Representative Edwards is recognized for a question.

REP. EDWARDS: Thank you, Mr. Chair. I've -- I've got a couple questions, with your permission. I'll come back to you as I go. Overall, my general interest in this topic is -- um -- given that providing support to the Infant Toddler Part C Program and the reports that are required is important, I -- I'm generally in favor of getting those reports done on time. But I -- I'm -- I want to understand how it is that we can pull money away from providers to pay for administrative overhead. And -- and that question gets to be a little sharper, I think, when if I read the history here correctly, this program had the manpower, had three people, one of the people retired or went away. That job got reclassified, moved to a different Department in BDS leaving a gap there. And then this attempts to re-establish that position that got taken to the BDS. So -- so how is it that it's good for us to take money from providers to build more administrative overhead?

MR. WHITE: Sure. Thank you for the question, Representative Edwards. Um -- so I think it's important to -- um -- just kind of backup a little bit. I'm going to answer your question in a slightly circulatory way.

So we work with our federal providers to have federally approved budgets. And our Department went through the process of developing that budget, and when they did that they determined that a portion of the funds that we have -- that we have allocated here were not allowable. So what we're actually doing, and you can't see this in the item and I'll take fault for this, is we actually have another Accounting Unit 5191 where there is a roughly -- there's a general federal match, and we're going to be -- the difference that you see here will actually be paid out of that account. So here it does appear like there's net reduction in payments to providers; but what's actually happening is in the federal grant budget that we're working on with the Feds, we're actually making up that difference. So I think I -- I think you bring up a very astute point that it does

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

appear to be that, but because of some of the other work we are doing outside of here, which is not part of the technical transfer request item, you're not seeing that here and I'll take fault for that.

REP. EDWARDS: So -- so I think the summary is we're probably aligned that we don't want to take money from providers to pay for administrative overhead. And that -- and that you've just informed me that this -- this document is incomplete maybe. So would a tabling motion give you time to fix this document?

MR. WHITE: Well, the -- the -- the technical request is -- is accurate. It's sort of what -- so whenever we have a contract, for example, we may be paying a contract out of this accounting unit or another accounting unit or a series of accounting units, and typically that would go before the Governor and Executive Council. And so they would see, you know, they'll see those three accounts funding that particular effort. Whereas here, sometimes it can be difficult because this requested action here is only showing that one component.

REP. EDWARDS: Okay. So, Mr. Chair, you know, based on what I have in front of me to vote on, I -- I can't vote in good conscious to take money from providers. I -- I would move to ITL this.

CHAIRMAN WEYLER: Okay. Motion to disapprove the item. Is there a second?

PETER LEISHMAN, State Representative, Hillsborough County, District #33: I'll second it for discussion.

CHAIRMAN WEYLER: Okay. Motion by Representative Edwards, seconded by Representative Leishman to disapprove the item. Further discussion.

REP. LEISHMAN: I --

CHAIRMAN WEYLER: Senator D'Allesandro.

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

SEN. D'ALLESANDRO: Thank you. Thank you, Mr. Chairman. I think that the Health and Human Services has given an explanation as to why the document is as it is. And it's clearly stated that we're not taking any money. And as a result of -- of the federal situation, you had to do -- you had to do it this way. And you will produce documentation for -- for the question for the Representative that clearly indicates that no money is being taken away.

I -- I can't see why we should not pass this issue and get things moving. We have a very clear and succinct explanation as to the problem that was brought forward, and I thought the explanation was complete and accurate. So -- so why -- why, in essence, should we delay this situation? We're not taking any money away, which I think is the key issue. And if you're not taking any money away, you have an explanation as to what's going on, and you'll have further documentation given, I -- I think we should proceed forward. Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Representative Edwards.

****** REP. EDWARDS: So, Mr. Chair -- um -- I would like to withdraw my motion to ITL, if Representative Leishman will support that, and instead move to table.

REP. LEISHMAN: I'll certainly support that, but I do have a question which I guess we can't ask if the item is tabled.

CHAIRMAN WEYLER: You may ask your question now.

REP. LEISHMAN: Thank you, Mr. Chairman. I'm just curious what the Infant Toddler Part C Program is.

MS. HARDY: Sure. So thank you for the question. So it is under our Family-Centered and Early Support Services which -- um -- is an early intervention program for children up to the age of three who have a developmental delay. It helps parents being the first teachers of their children to be able to support them in their homes with modalities with their developmental or perceived developmental delay.

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

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

CHAIRMAN WEYLER: Further discussion.

REP. EDWARDS: So, if I may?

CHAIRMAN WEYLER: Senate -- Representative Edwards.

REP. EDWARDS: Thank you, Mr. Chair. So -- so I think tabling may be in order because of public transparency. This document stands on its own and as it stands and reads we're taking money from providers to -- to build additional administrative overhead, and that that overhead transfer became necessary only because workforce was pulled from this very division and taken into a different part of the Department in BDS. And I -- as this document stands, I -- I don't think this is acceptable as a public record of what we're trying to do and what our priorities are. I recommend tabling it so that they can fix this document.

CHAIRMAN WEYLER: Motion to table. Is there a second?
I see no second.

** SEN. GRAY: Move to approve.

CHAIRMAN WEYLER: Senator Gray moves to approve, Senator Rosenwald seconds. Any further discussion? Seeing none. Are you ready for the question? You want to do it by hands or you want to do it by voice? Let's do a show of hands to accept the item. One, two, three, four, five, six, seven. Motion is adopted. And you are recorded as a no.

*** {MOTION ADOPTED}

AMERICAN RESCUE PLAN 2021
CONSENT CALENDAR

(9) RSA 14:30-a, VI Fiscal Committee Approval Required

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

For Acceptance and Expenditure of Funds Over \$100,000
From any Non-State Source:

CHAIRMAN WEYLER: Moving on to the next item removed, we move to Tab 9, and it is item number 23-044, removed by Representative Edwards. Again, Health and Human Services, Division of Finance. Welcome, Mr. Lipman.

HENRY LIPMAN, Director, Bureau of Medicaid Services, Department of Health and Human Services: Thank you. Good morning. For the record, Henry Lipman, Medicaid Director. Pleased to be here this morning.

CHAIRMAN WEYLER: Representative Edwards is recognized for a question.

REP. EDWARDS: Thank you, Mr. Chair. Uh -- thank you, Mr. Lipman. This looks like a great opportunity. We've got 51.5 million apparently of additional F-MAP monies to allocate. So -- so, in general, this is -- this is a great opportunity. I -- I just want to understand some mechanics a little bit better.

Given we're so late in the Fiscal Year, and that this is currently, I understand -- I understand this program right now to be lapsing -- um -- I'm curious, if we already have the billing backlog to spend all this money or -- or are there new rates that are going to go into effect? And -- and I -- and very technically, if we get a bill in late June that we aren't able to pay until the next Fiscal Year, does it go against this money or next year's money?

MR. LIPMAN: All great questions -- uh -- Representative. So in order to make a claim, you have to incur an expense. And that's when we can make the claim. So the way that the claiming works is sort of on a cash basis is when we submit for paid expenses on the part of the State. Um -- what is important that's going on now, which I think you're kind of -- your question touches upon is that the federal matching percentage

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

after March 31st drops to 5% through June. Then it drops July 1st to two and a half percent, and after -- um -- after July -- excuse me -- after -- from October 1 to the end of the year, it's one and a half percent. And so getting this item through will maximize what is available to be claimed on -- on what claims have been processed by the State.

REP. EDWARDS: So could you get on the lapsing issue and -- and when a bill becomes obligated.

MR. LIPMAN: So it's on -- think about it on a cash basis. It's when -- when we, the State, either pay a capitation payment through the MCOs or when we pay a fee-for-service claim. It's the actual -- we have to actually make the payment to the provider or in the case of the insurer to the insurer before we can actually make the claim. And then we have payment terms, and we -- we don't pay claims to -- I mean, our -- our MCOs in advance. So there is a -- by necessity a little bit of lag to making these claims.

CHAIRMAN WEYLER: Follow-up.

REP. EDWARDS: I think I just have two. Okay. So maybe this is a Mr. White question. I understand this money is currently set up to lapse if it's not spent. Am I wrong or is this something we're going to carry in HB 2?

MR. LIPMAN: If I could address that one first. What -- what is part of this whole equation is that because of a continuous enrollment related to -- um -- the -- originally the FFRCA and now the Consolidated Appropriation Act, we've had to carry about 102,000 people that otherwise would have been not on the program under normal circumstances.

So what this F-MAP addition is allowing us to do is to cover the cost of those individuals extra, if you will. And so if there is a lapse, it would be, I think, a very small lapse because we -- New Hampshire, and I -- if you're interested I can share a study on it. There's a study done by all states in

terms of what the expected F-MAP extra, that 6.2%, would be against what the expected expense of a state. In New Hampshire because we're one of the lower F-MAP states in terms of the base for standard Medicaid, 50%, the expectation is that our extra F-MAP was just about, like, if you would take a hundred percent would be exactly matching. We're about 101% is what the forecast was in terms of what the extra money versus the extra cost of covering these 102,000 people.

REP. EDWARDS: So, Mr. White, do you want to answer the lapse question and the HB 2 question, or are we changing the lapsing structure of this in HB 2?

MR. WHITE: So in the current HB 2, the Medicaid was allowed. We were allowed to carry some of the funding forward. Right now we're not projecting a significant lapse in Medicaid just as Henry alluded to because of the high numbers that we do have on the Medicaid rolls. So we're not projecting a significant lapse in this area at this point.

REP. EDWARDS: All right. I'll not ask my last question. Thank you, Mr. Chair.

CHAIRMAN WEYLER: Senator Rosenwald is recognized for a question.

CINDY ROSENWALD, State Senator, Senate District #13: Thank you, Mr. Chairman. To follow-up on Representative Edwards' line of questioning. I believe that last Fiscal Year we did lapse as a revenue lapse some of the additional F-MAP. Am I hearing you state is the Department committing that we will not be lapsing this Medicaid money as a revenue lapse at the end of June, but we'll be spending it on the Medicaid Program?

MR. LIPMAN: I could maybe take it and then I'll let -- um -- so I think when we were -- last year we thought the -- I think we all thought the pandemic from a federal response was going to end at various times. I think when the budget was produced we thought it was going to end last October.

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

So I think part of the carrying the extra money forward, really, which we were allowed under HB 2, is what puts us in a position to have enough money to cover through the end of the continuous enrollment which is March 31st of this year.

SEN. ROSENWALD: Follow-up.

CHAIRMAN WEYLER: Follow-up.

SEN. ROSENWALD: So is that yes?

MR. WHITE: I -- I -- based on current projections, we're not -- we're not projecting a significant lapse. I think -- I think the challenge, and -- and Henry has spoken to this a number of times, is right now, you know, we're moving -- we're moving into a phase where disenrollment is about to begin. And we are expecting to disenroll tens of thousands of people in the first month, and then in the subsequent months as well. We still don't know necessarily how many of those individuals are going to appeal. And if -- and if many of them appeal, they then continue to stay on Medicaid. And that's kind of -- that's a big unknown -- um -- right now, and Henry can certainly speak more to that.

MR. LIPMAN: Just give you another example that our projections in November are different than they were in December because the new federal poverty limits came out and our estimate of how many people would lose coverage was affected by 1700 people. And so, I mean, it's just -- it's that kind of dynamic that is no one's had experience doing unwinding, you know, the percentage of population that we're having. So I think to -- to -- if it went perfectly with no --

MR. WHITE: Right.

MR. LIPMAN: -- no unexpected things, then maybe we'll have a lapse. If it goes with some little bumpiness, we're going to need that money to cover the people.

SEN. ROSENWALD: Final -- final follow-up, if I could?

CHAIRMAN WEYLER: Further.

SEN. ROSENWALD: But that's something we would be able to address in House Bill 2; right? If we decided we didn't want to lapse this money, we would be able to deal with it in June.

MR. WHITE: Yes, we could certainly include an HB 2 provision to allow those funds to be carried forward for the Medicaid Program.

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

CHAIRMAN WEYLER: Further discussion on the item?

****** REP. EDWARDS: Mr. Chair, I move 050.

SEN. GRAY: Second.

REP. EDWARDS: Or whatever we're on.

CHAIRMAN WEYLER: 044.

REP. EDWARDS: Yeah, 044.

CHAIRMAN WEYLER: Direct your motion for FIS 23-044.

SEN. D'ALLESANDRO: I'll second it.

CHAIRMAN WEYLER: All right. Representative Edwards moves it. Second by --

REP. ERF: D'Allesandro.

CHAIRMAN WEYLER: Senator D'Allesandro. Further discussion? Seeing none. Are you ready for the question? All in favor say aye? Opposed no? The motion is to adopt 23 --

MR. LIPMAN: Thank you.

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

MR. WHITE: Thank you.

CHAIRMAN WEYLER: Moving on to 23-050, Administrative Services. Excuse me. Good morning. Please identify yourselves.

SHERI ROCKBURN, Assistant Commissioner, Department of Administrative Services: Good morning. This is Sheri Rockburn. I'm the Assistant Commissioner for the Department of Administrative Services.

DENIS GOULET, Commissioner, Department of Information Technology: Good morning. I'm Denis Goulet, the Commissioner of the Department of Information Technology.

CHAIRMAN WEYLER: Senator Gray is recognized for a question.

SEN. GRAY: Thank you. The item talked about State's financial payroll system and sustainability, talks about the existing system being 14 years old, and goes on to talk about procure services in a variety of functions and technical experts to ensure, and I don't have any problem with accepting the money. I just want to make sure that companies out there get a fair shot if we are going to expend \$15 million and would encourage you to comment.

MS. ROCKBURN: So a few things that I wanted to -- to talk about in terms of our system. So as the item states that our current accounting system, which includes accounting, payroll, budgeting, et cetera, has been in place for a little over 14 years, and I think as Denis will talk about, that's pretty ancient when it comes to software. Back when we did that, we did a full RFP to procure a new ERP System, Enterprise Resource System, and that took quite a while to implement and that's the system we've been working with.

What we are realizing is that our current vendor will no longer support our version that we're on after April of 2026. So we'll be in a situation where we'll have no support to maintain

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

our system with a vendor after that period. So we've been looking into what are our three options in order to keep the State's books rolling, and payroll and budgeting, et cetera.

One option would be to do nothing and, you know, have in-house try to manage that system without any vendor support. Not highly recommended, but obviously an option that would be minimal to no cost but not a great product at the end.

On the other extreme we could do a completely new RFP and try to reprocur an entire new system. And the third option being we can upgrade our current vendor to the next version, and that's what this proposal is recommending is to upgrade the version to the latest version with our current vendor. It's, as it looks, a substantial amount of money to do the upgrade, but a brand new procurement is going to cost to the tune of greater than 100 million. Idaho just did it. They're in the process of going live in the next year and Idaho right now is at 102.4 million was their estimate for a brand new RFP system -- sorry -- a new RFP to procure a new system. So that's where the 15, while it's a lot of money, our recommendation is not to reprocur an entire new system, but to do an upgrade.

The consultants that we use with the project we can, you know, RFP and look for consultants to help us implement; but as of now we weren't looking to procure a brand new system. So I'll pause on that for a minute.

MR. GOULET: So a little -- a little further on that topic. Um -- the -- the -- we did look at -- at a number of different numbers that related to a full reprocurment of the ERP System. It's -- it's orders of magnitude more expensive than this path to, you know, to have essentially what we already have today. So we thought the best path was to -- to move forward with the incumbent Infor. Although this isn't the contract to do that, that would be our plan for that part of it.

CHAIRMAN WEYLER: Senator D'Allesandro's recognized for a question.

SEN. D'ALLESANDRO: Thank you, Mr. Chairman. And, first of all, thanks for coming. Sheri, thank you for that explanation, and great -- great to see both of you.

If -- if we do purchase the new rev, how many revs are in place as -- as we go forward now? You know, they're constantly revving this stuff up. When does that end? Because as -- as you said, they're not going to support it. So what rev's on the street as we -- as we speak? Do we purchase that rev and who supports that rev going forward?

MR. GOULET: Well, it's a good question and I'm glad you asked it, because one of the changes that we're making as part of this is we're adopting a -- what they call their Cloud Suite package, and what that does is it shifts the burden of upgrading from us to them over time. So, essentially, it's something we wouldn't be worried about doing anymore ourselves, and which is great. Because when we have to upgrade, it's very -- it's a ton of work and it's very disruptive to both Administrative Services and my Department and potentially the rest of the State if anything goes wrong which, you know, sometimes does. So this -- this takes that off the table completely.

SEN. D'ALLESANDRO: Okay. One further question, Mr. Chairman.

CHAIRMAN WEYLER: Follow-up.

SEN. D'ALLESANDRO: All right. So by making this move and this procuring this particular situation, we're going to be okay.

MR. GOULET: Yes, I think we'll be better off than we are from a stability and a supportability perspective.

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

CHAIRMAN WEYLER: Further discussion on the item?
Representative Edwards.

REP. EDWARDS: Thank you, Mr. Chair. So our IT installed base is enormous and we're seeing this one instance of a -- an IT system that needs to be upgraded. Um -- I -- I would think that we generally would have update and upgrade contracts in place for all the key components of our infrastructure. I'm assuming this is really just about making sure it's funded. It leaves me to -- to worry though, about our entire installed base. You know, is there -- is there an undiscussed bill outstanding of what it's going to cost us to upgrade everything over the next four, five years? Is that part of -- part of your IT strategic plan where you can show people exactly where this system sits in your constellation, what its upgrade plan is, what its ultimate replacement plan is, and all of the siblings around it?

MR. GOULET: There's -- there's two parts to the answer to that. So I'll hit on both of them. One is that, you know, all of the systems have, you know, we call an application life cycle. And -- and so that you have to look at every application and we have over 600 large applications in the Executive Branch of government right now, and some extra-large applications, which I call this our ERP falls into that extra-large category.

The other two extra larges are in Health and Human Services, and I think you're pretty familiar with the life cycle work we're doing there on eligibility and Medicaid systems.

So we do look at that for every system. We don't always have the money to do the right thing; but in the case that we do, and particularly if it gets critical, we look to do that. So -- so that is a regular thing we do. We look at the life cycle. We recommend moving to, you know, and sometimes we're forced to do it, right, if it's running on a -- say an infrastructure that is going to be no longer supportive or something like that. That's one factor life cycle.

The other factor is many software vendors are going away from their traditional way of selling and licensing software, and this is an example of that. So rather than having these big license deals every once in a while, and then getting 15% or 22% or 17% maintenance over time, what they're doing is they're shifting away from that and going to subscription based. And they're often doing that in the Cloud, which is, again, the case here. So that this ERP app, once we complete this transition, would be sitting in -- in the Cloud rather than in my data center at 27 Hazen, and that's why -- that's how they're able to maintain and manage the life cycle of that app on our behalf going forward.

REP. EDWARDS: So --

CHAIRMAN WEYLER: Follow-up.

REP. EDWARDS: So what are a -- probably a poorly worded question. I'm -- I'm concerned about the IT portfolio and how many more of these kind of upgrade bills are outstanding that we don't have visibility as a Legislature on.

MR. GOULET: Well, say -- let's say we have -- if we have over 600 apps, then there are 600 apps that at some point will have to be updated. And we look at that all the time. We see contracts going, you know, we're -- we're reprocurring. So each time we have a -- a cusp, this is -- I would call this a cusp for the ERP System, we have to look at it and say, all right, what's the right thing to do here.

I'll -- I'll just give an example of -- of -- uh -- you know -- uh -- where we look at the app itself and we say what's the best thing to do here. We can, again, do nothing and keep running it or try to support it in-house, which generally a bad idea. Reprocure, and in some cases that may be the right thing because the app itself or the vendor itself doesn't have a go forward. And -- and then the third option would be to continue with that vendor, but use their new product. And then, typically, to determine that we would often do an RFI. We have

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

some recent examples where we did an RFI, discovered that, you know, staying with the incumbent was much less expensive than fully reprocurring and so we did that. So, in a sense, it was somewhat competitive, but not as competitive as a full reprocurement RFP would be.

So we're always constantly doing that and, yes, we will be seeing bills to, you know, we will see costs continuously as long as we're running IT systems for -- to address life cycle issues in the Executive Branch.

CHAIRMAN WEYLER: Further discussion on the item?

** SEN. GRAY: Move to approve.

CHAIRMAN WEYLER: Senator Gray moves to approve Item 23-050, second by Senator D'Allesandro. Any further discussion? Seeing none. Are you ready for the question? All in favor say aye? Opposed no? The item is adopted.

*** {MOTION ADOPTED}

REGULAR CALENDAR

(11) RSA 106-H:9, I (e) Funding; Fund Established:

CHAIRMAN WEYLER: Moving on to the Regular Calendar after Tab 11, the first item we see is 23-061, Department of Safety. Is there a question or a motion?

** REP. LEISHMAN: Move the item.

CHAIRMAN WEYLER: Representative Leishman moves to adopt Item 23-061. Senator Birdsell seconds. Further discussion? Seeing none. Are you ready for the question? All in favor say aye? Opposed no? That item is adopted.

*** {MOTION ADOPTED}

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

(12) RSA 228:12, Transfers From Highway Surplus Account:

CHAIRMAN WEYLER: Next item on the Regular Calendar under Tab 12, Item 23-065, Department of Transportation. I think there were going to be some questions on this one. Representative Leishman.

REP. LEISHMAN: Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Welcome. Please identify yourself.

MR. BRIERE: Good morning, Mr. Chairman. For the record, Andre Briere, Deputy Commissioner at NH-DOT.

MR. SERVETAS: Good morning, Mr. Chairman. Mike Servetas. I'm the Director of Operations at DOT.

CHAIRMAN WEYLER: Senator Leishman is recognized for a question. Representative Leishman.

REP. LEISHMAN: (Inaudible). I guess I better run next time. Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Easy enough to (Inaudible).

REP. LEISHMAN: On Page 2 it mentions the expenditure for salt, also reflects an increase in material cost since the current budget was developed two years ago. Do you get a bid for your salt? Like are you able to bid more than a year out or how does that work?

MR. SERVETAS: It's pretty much bid annually through Purchase and Property.

REP. LEISHMAN: Follow-up question, if I could, Mr. Chairman?

CHAIRMAN WEYLER: Follow-up.

REP. LEISHMAN: So your request is really only for 2023, the budget year, it's not for 2022, in other words? If I could explain it further. According to your chart, you show that the increase in 2022 was 27.5%, and then 20% in '23. So I'm assuming the request is just for this year, not --

MR. BRIERE: Yeah, it's for additional materials to take us through this year. Yes, sir.

REP. LEISHMAN: That you can't bid in advance for.

MR. BRIERE: Right. What we do try to -- we have various mechanisms and strategies to try to procure the cheapest salt that we can. We do that at various times of the year, and look for that with those windows of opportunity to fill our sheds. Um -- in this case, the price of salt, like so many other materials, increased significantly -- uh -- over -- over this past year.

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

CHAIRMAN WEYLER: Senator Gray is recognized for a question.

SEN. GRAY: When I got this item, I went directly to the LBA, and I said why have I got \$825,000 in benefits? And when I look at the top of the item, I don't see any salaries. I don't see -- I see current expenses, which is the salt, and then I see leases and rents. So, apparently, your books got out of whack at some point and you've now realized that you're going to short our employees almost a million dollars in benefits?

MR. BRIERE: Yes, sir, thank you for the question. What this is and this is actually -- um -- a -- a -- it's not an optimal process, but this is very normal for us to come at this point in the season and make these types of requests.

The things that are going on, just big picture with regard to winter maintenance, are the increased price of salt and our high vacancy rate. Those are the two primary things that are

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

going on. These transfers you see represent increased contract rates for contract help. Because we do have a high vacancy rate, we have to rely more heavily on our rental -- rented vehicles and our rented drivers that are produced by -- that are provided to us by contractors. So that the changes in the budget lines you see cover those expenses for looking forward for the rest of this season.

SEN. GRAY: I -- what you've told me -- thank you. What you've told me is that if I'm going to do more contracting out, then this benefits line should be going down, not going up, because I pay the contract price, which includes the benefits for their employees, and if I'm substituting my employees. What I expect to see --

MR. BRIERE: Yeah.

SEN. GRAY: -- when I've got an increase in benefits is an increase in personnel costs, more personnel --

MR. BRIERE: It's overtime.

SEN. GRAY: -- something.

MR. BRIERE: It's overtime, sir, is what that is. So -- so there's -- there's a couple strategies we used this year because of our vacancy rate. One is volunteers from within the Department, and we got authority to do that also externally to -- to DOT. We have a few people that are volunteering who have CDL licenses. Because everybody's pedaling harder, because everybody's working more to cover those vacancies, these are -- the benefits line you see is largely overtime to -- because we have large storms, we don't have shifts. You know, these people when they start plowing, they keep plowing until a storm event is concluded.

SEN. GRAY: I will -- if I may?

CHAIRMAN WEYLER: Follow-up.

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

SEN. GRAY: I will have further discussions with LBA on this item because, you know, where I come from benefits for overtime are severely reduced from the benefits for a full-time employee because you don't incur all these --

MR. BRIERE: These are full-time employees, sir.

SEN. GRAY: Well, whatever -- whatever, you know, the full-time rate. Because if I budgeted full-time rate, I should have also budgeted the benefits at that. And, again, I -- when I get these I do try to understand them.

MR. BRIERE: I can answer maybe something that may address your question. And that is when we calculate these numbers, we base it on three-year averages. So if you can incorporate the last three years into this budget forecast that we use to come up with our original numbers projecting forward for this winter season, inflationary effects are much greater than in the earlier part of that three-year window.

So that's -- that is how we budget and that has been traditionally successful, you know, in a normal three-year window because, you know, you don't get these huge spikes in inflation. In this case we do. And we also have huge spikes in vacancy rates. So that's -- that's an aberration in this three-year window and that is why you see the amounts that you see that we're requesting to move.

** SEN. GRAY: I'll continue this with Mike after the meeting and we'll go from there. I'll move the item.

MR. BRIERE: Thank you, sir.

CHAIRMAN WEYLER: Senator Gray moves the item. Senator -- we'll come back to that. Senator Birdsell seconds the item. Further discussion? Representative Leishman.

REP. LEISHMAN: Thank you, Mr. Chairman. And I guess I'm also a little confused or concerned as Senator Gray is on this

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

matter. What are your -- what do you set aside for a percentage for benefits? Because if I look at what you're putting down for a benefits, it doesn't really correlate with an increase in your payroll line because that should be going up for the overtime. But you're showing a benefit line of an increase of 825,000, which seems excessive based on what you're asking for an increased per pay or as you explained. If you look at Page 2, winter maintenance, it says increased expenses a million dollars. So I assume maybe that's your payroll, but a corresponding benefit of 825, it just doesn't line up for me.

MR. BRIERE: Yes, sir. Again, the best way I can explain this is that our volunteers, so the volunteer employees that are filling the gap for winter maintenance are, for the most part, already full-time employees. We're not adding employees to do that. So, as a result, you know, we already have them on our payroll. What you're seeing is they're working more hours.

CHAIRMAN WEYLER: Which normally would be reflected in the overtime line, but the overtime line doesn't move up.

MR. BRIERE: Yeah, I can -- what we can do is go back and get you a more detailed answer if you'd like that answer, sir. That's -- that's the -- and, again, this is prospective, not retrospective. So these -- moving these numbers gets us through the rest of this winter.

CHAIRMAN WEYLER: Could these be bonuses to the drivers that wouldn't go into overtime or salary? Would have to go into benefit or something.

MR. SERVETAS: Well, it does, in part, reflect the enhancement that the -- the winter folks are receiving and the benefits applied to that. But I -- I'm not -- they don't really get bonuses. You know, those are kind of already calculated in there. The winter maintainers get a stipend. Those are the ones that are DOT employees, and then they have the enhancement that got us up from about 40 volunteers up to 90 but --

CHAIRMAN WEYLER: Well, in the past in winter maintenance, we see big increases both in -- in overtime and in pay. And then it would go to benefits as the pay increase. But this is an unusual place to put benefits at a big increase without increasing --

MR. BRIERE: I do see your question, sir. And, if you like, we can -- I mean, I can assure you we'll get you that answer.

CHAIRMAN WEYLER: Thank you. Further discussion from the Committee? All right. We have a motion and a second to accept the item. Further discussion? Seeing none. All in favor say aye? Opposed no? The item is adopted. We'll wait to see further information.

***** {MOTION ADOPTED}**

MR. BRIERE: We will follow-up, sir. Thank you.

(13) Miscellaneous:

(14) Informational Materials:

CHAIRMAN WEYLER: Thank you. Okay. Moving on to informational items. Are there any questions from any of the members on informational items? Senator Rosenwald.

SEN. ROSENWALD: Thank you. I think at the last meeting we didn't get to congratulate the LBA audit. Okay.

CHAIRMAN WEYLER: I will ask Steven Smith to come forward, Director of Audits. And I will ask you all to turn to item FIS 22-429. It's in the informational. It's under Tab 14.

STEPHEN SMITH, Director, Audit Division, Office of Legislative Budget Assistant: Good morning, Mr. Chairman.

CHAIRMAN WEYLER: I will note National Legislative -- National Conference of State Legislatures has

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

recognized and presented to New Hampshire Office of Legislative Budget Assistant, Audit Division, recognition of its support that had significant impact on public policy, Adult Parole Board, and the members will now be named and recognized before us. Mr. Smith.

MR. SMITH: Sure. On this particular audit, Vilay Skidds was, the Audit Manager, and assisting her were Paige Lorenz. Please stand. And --

REP. EDWARDS: In the military they make you come forward and stand at attention while people honor you, so.

MR. SMITH: And then, lastly, Andrea Provost. Jay Henry, our Performance Audit Supervisor is ill so is not able to make it today. So we thank you very much for your recognition.

CHAIRMAN WEYLER: The Audit Division works for this Committee.

MR. SMITH: Yes.

CHAIRMAN WEYLER: Your work is paramount to what we do. We recognize what you do. We appreciate all the work you do. I specifically read everything you write. And so I think you're great. Please all rise and give them a hand.

(Applause).

CHAIRMAN WEYLER: Thank you all for your recognition. Thank you, Mr. Smith. And I guess the next items are yours as well.

MR. SMITH: Yes.

CHAIRMAN WEYLER: Moving on to the audits of Fidelity Advisor Plan.

AUDITS:

MR. SMITH: Thank you, Mr. Chair. We are here to present the College Savings Plans. And, as you may know, our office retains PwC accounting firm to perform these audits. And with us is Declan Byrne. He's the Partner for PwC and also Monica Mezzapelle from our State Treasurer to respond to any questions or anything she may want to add to the audit.

With that, I'll turn it over to Declan.

DECLAN BYRNE, Partner PwC: Thank you very much. It's my pleasure to be here again. Usually one of the highlights of my year to come to present to the College Savings Plan which, again, I come bearing good news.

And so I do -- we did provide a handout in advance. I won't do page by page, but we will -- I promise -- but we will do a quick overview of the results of the audit. And as Steven said, by way of introduction, I'm Declan Byrne, Partner in Boston.

So -- so our materials I would say are pretty standard compared to prior year and the audits were pretty efficient. I think we got lucky with no big changes in accounting standards this year or financial reporting. So we're able to get through the audit as efficiently as always with the help of our friends at Fidelity who do the books and records.

So I'll just highlight on Page 6, actually, that's really the Executive Summary. Or so sorry, Page 5. That's really the Executive Summary of the audit which really captures -- captures everything we can talk today.

So in terms of significant changes to the audit plan, we start this audit back in September. So we speak with Monica. We work with Fidelity and, thankfully, no major changes in the execution of the audit as we went through and they did this fall and getting the audit signed off. And from a -- our report was unqualified, so as you'd want and expect. And from a reportable item standpoint we have nothing significant to note. No material weaknesses. No fraud. No non-compliance. No uncorrect misstatements or even errors we found in financial statements

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

that were subsequently corrected by management. We do rely significantly on Fidelity as the server provider. They have a good books and records, a system of control which is governed by SOC-1s, and we spend a lot of time with them making sure they're accounting further transactions, the participants' balances timely, accurately, and appropriately valued and that really covers the substance of our audit work that we perform. And we did have some new portfolios this year which we delved into the stable value portfolios and the sustainability portfolios. We made sure that the books and records and the operational processing of those types of products were -- were in line with our expectations and as designed. And -- and no issues noted there. So, again, for that we were comfortable with the system of control around that.

And then I'll just turn briefly to -- to Page 7 as we look at these other standard required communications under professional standards and, again, these are pretty standard areas around fraud and non-compliance. Again, nothing was noted. I'd highlight the quality of plans financial statements as one area, and we continue to work with Fidelity on the -- on the disclosures and presentation and quality of the work they do as they design and implement the financial statements and professional standards and all of those. We do highlight some of the newer disclosures as noted in the portfolios. But, again, everything in line was in our expectations and fed into our own unqualified opinion.

And then maybe turning to Page 9, I think that just reaffirms no matters to note from a difficulty in terms of the execution of the audit and no contentious matters. Dialogue was good, open, fruitful, both Monica team and as well as Fidelity. So overall we're pretty pleased with these results.

We do in the Appendix that do provide PwC quality report. Just an overview of PwC as a firm as we take quality and our responsibility to the capital markets and, indeed, you as it relates to the quality in our audits, as well as the standard reports and their audit report, our management representation

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

letter, and legal letter, all of which, I would say, are pretty standard and, of course, nothing came back in our legal letter to say there wasn't -- we need to delve into any legal matters. There are no legal matters outstanding in the plan. So, overall, you know, good results. You know, again, we thank Monica team and, indeed, also thank Stephen. As I learned he's retiring today and for all his work. And, you know, it's great to be here again. Maybe I'll pause if any questions.

REP. WEYLER: Senator D'Allesandro for a question.

SEN. D'ALLESANDRO: Thank you very much. Thank you, Mr. Chairman. First of all, there's -- there's nothing more melodious than the tone of your voice. It's wonderful. And I -- I anticipate this yearly conversation. It's very meaningful and -- and I certainly appreciate it, appreciate the work that -- that you do.

This -- this program has been extremely beneficial to New Hampshire. I don't think there's any question about that. And -- and the fact that it's still an ongoing situation, and that Fidelity has made the kinds of changes that we've suggested at a series of our meetings to enhance the program, I think are well recognized. But, as I say, it's the audit presentation that makes it all worthwhile.

MR. BYRNE: Thank you.

SEN. D'ALLESANDRO: So thank you so much. I truly appreciate it. Thank you, Mr. Chairman.

MR. BYRNE: It's the highlight of my year.

CHAIRMAN WEYLER: Representative Edwards.

REP. EDWARDS: Thank you very much, Mr. Chairman. I -- I just want to understand a little bit about the reference on Page 12. There's a reference that on your audit quality you look into ESG reporting. And then as I look at the report itself, I'm not

seeing actually any section of your audit that dealt with ESG. And so -- so is there an incongruence issue here that I need to understand?

MR. BYRNE: No, no. Our folks on quality is a firm based, and as we focus on providing assurance to ESG in the right areas. Does not -- and this is a firm level. On these audits in particular, if there's no ESG component is purely on the financial statements that we provide an audit opinion. And so there's really no connection between our firm level and other engagements we might do reports on ESG, but not in this instance.

REP. EDWARDS: Follow-up.

CHAIRMAN WEYLER: Follow-up.

REP. EDWARDS: Is there anything in New Hampshire's guidance or laws or at the federal level that is pushing you or compelling you to include ESG auditing in your reports?

MR. BYRNE: No, no, not at this point in time. There's certainly things that the SEC for public companies around certain disclosures that registrants are required; but in this instance under the framework of the FASB and ASCPA which we report on, there is nothing pushing us to report anything on ESG.

REP. EDWARDS: And then one last follow-up. The little bit of reading I've done on this may be totally biased. So I'm asking you your opinion as an auditor. The reporting I've seen indicates that the companies that comply closest with ESG standards or guidelines or principles, I guess they're really principles, that their rate of return on their investments tend to actually be lower than the corporations and investments that do not issue the ESG principles. Is -- is that -- what -- can you say anything about, in general, the relationship between ESG compliance and relative rates of return?

MR. BYRNE: Yeah, it's probably not my area honestly of expertise so I probably can't comment. I'm aware of all the commentary in the markets; but from our vantage point is what we -- what's in front of us and do the audits. We don't get involved in those types of, you know, areas. So I can't really speak with authority on that topic if I be honest.

REP. EDWARDS: And I'll disagree. I love your voice.

CHAIRMAN WEYLER: Further for the Members. Like to recognize Madam Treasurer, any comments.

MONICA MEZZAPELLE, State Treasurer, Treasury Department: Good morning, Mr. Chair, Members of the Committee. For the record, State Treasurer Monica Mezzapelle. And, again, this is also the time when I get to share the good news with -- with all of you. And I want to thank Mr. Smith and Mr. Byrne for their work. Certainly, this -- there's a lot of work involved to audit all these funds and this portfolios. But, you know, we've had PwC for a few years so they know and they always done a very efficient and good quality work. So we're very thankful for that.

And the same for program manager, Fidelity Investments. Obviously, they're the ones that put the financial statements together and they maintain the controls in order to have a clean opinion so we're grateful for that. It's all good news, a clean opinion and always happy to be here to share that.

So, and just to add to the good news, you know, again, this continues to be a very successful program in the country. It's still the fourth largest plan in the country with about \$21 billion under as -- under -- assets under management.

So this year the plan had a little bit of a rough year just like everyone else; but it's on its way to full recovery. So, again, all good news. We have about 800,000 participant accounts. And, again, our goal is to continue growing this plan

to benefit New Hampshire families and families around the country that want to participate in this plan.

And as you all know, we -- we benefit from a revenue share that we obtain from this plan. And in Fiscal Year 22 we received about \$19 million. And we were able to distribute those funds and scholarships. We help New Hampshire families and New Hampshire students. We provided about 7,200 scholarships. They range from 1,000 to 10,000. So, again, all good news. And I know the Commission, Members of the Commission are a part of this Committee and it's all thanks to the Commission Members.

Also, in Fiscal 23 there are plans to expand that eligibility to provide more scholarships to New Hampshire students and to provide them a larger award amount. So, again, all good news, and I want to thank all of you for your attention, and I'll be happy to answer any questions.

CHAIRMAN WEYLER: Thank you, Madam Treasurer. I think it's worthy of publicity that \$19 million. I was looking through the Unique Plan hoping to find it highlighted, but I couldn't find it. In what page to be highlighted on?

MS. MEZZAPELLE: That -- that report is with Fidelity puts together is really mainly the financial statements for each of the portfolios. So that's -- that's what that represents.

CHAIRMAN WEYLER: So it's all separated.

MS. MEZZAPELLE: It's separate, yes.

CHAIRMAN WEYLER: Okay. That's why I didn't -- I was looking for a figure like that and didn't see it anywhere.

MS. MEZZAPELLE: We probably have to prepare a different publication to highlight, you know, the -- in addition to the Annual Report of the Treasury, but for all the additional publication to highlight those benefits that we have as a result of this successful plan.

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

CHAIRMAN WEYLER: Thank you. Representative Edwards for a question.

REP. EDWARDS: Thank you, Mr. Chair, and thank you, Madam Treasurer. I'll ask you the question. Maybe it would have been more appropriate to you anyways. Are you aware of anything in New Hampshire law or rules that either requires our investments that you manage to adhere or comply with ESG principles or alternatively to avoid the ESG principles, to highlight instead the fiduciary responsibilities to the investor?

MS. MEZZAPELLE: Thank you for the question, Representative Edwards. I believe there are nothing really that binds us or -- or regulation or law that provide that guidance. In terms of the 529 Plan, there is a -- as Mr. Byrne mentioned, there is a portfolio with an ESG component. Fidelity introduced that portfolio. And -- and the reason for that is it was more to provide an option to participants. It's a stand-alone portfolio that has that sustainability component. And it doesn't -- it is not -- what I understand, the other portfolios, the H-base portfolios or the other stand-alone portfolios don't have an ESG component. This is the only portfolio that provides that option to those investors who are interested in essentially putting their money in in that type of investment. So it's more to provide the option and the variety in order to -- and, again, this is to -- um -- in listening to participants or investors out there in order to grow the plan and be more comprehensive, this new portfolio was -- was added.

In terms of the composition of that portfolio, I believe I have to get back to you. But if I recall correctly, because I don't have that detail here, but I believe it's a -- a mix of about 70% equity and 30% -- um -- bond and more conservative investments. So the participants should know when they are investing in this type of fund the type of -- the type of portfolio or the type of strategy that they're choosing to invest their funds.

So I think it's all disclosed in the proper documents, but there's no particular regulation, especially in New Hampshire, that -- that will provide that guidance or specific protection, if you want to call it. It's more, I believe, as Mr. Byrne mentioned, the SEC is trying to issue guidance, but there's really nothing right now that exists that I'm aware of.

CHAIRMAN WEYLER: Any further discussion from the Committee Members? Seeing none. Thank you all for your work. And we have already had a motion to adopt and place on file in the usual manner. So we don't need that again. Good to see you all. Thank you all very much for your fine work.

MS. MEZZAPELLE: Thank you.

MR. BYRNE: Thank you.

(15) Date of Next Meeting and Adjournment

CHAIRMAN WEYLER: Next on our agenda would be to pick next month's meeting. I think Mr. Kane and I talked about maybe moving to the fourth Friday because of some of the deadlines that we're working in in the House. If that doesn't interfere with the schedule for the Senate that would be the 24th for the fourth Friday, other than the third. Take a minute to see what -- what's on your schedule. Senator Rosenwald.

SEN. ROSENWALD: Thank you. I know that Health and Human Services Oversight is scheduled for the morning on the 24th.

CHAIRMAN WEYLER: That involves three of you?

SEN. ROSENWALD: Well, a bunch of us.

CHAIRMAN WEYLER: All right.

SEN. GRAY: Three Senators and at least one House Member.

CHAIRMAN WEYLER: All right. So that's going to keep you busy. So if we go back to the 17th.

REP. EDWARDS: Can we do an afternoon?

CHAIRMAN WEYLER: We can move to the afternoon. Some people don't like the afternoon. Is that a problem if we go -- you'd probably be done with your Committee by noon?

SEN. D'ALLESANDRO: Yes.

SEN. BIRDSELL: We can do the 31st, too, which is the last -- five weeks in March.

CHAIRMAN WEYLER: That's right. We do have another Friday. Is the 31st preferable?

SEN. GRAY: I can do either the afternoon on the 24th or the 31st.

SEN. BIRDSELL: Same here.

SEN. GRAY: Since I'm going to be here any way on the 24th.

SEN. BIRDSELL: True.

SEN. GRAY: Like 1 o'clock on the 24th will work very well for me.

CHAIRMAN WEYLER: Well, the agenda we've had today hasn't been too lengthy. We could gamble and hope it would happen again. We've only been about an hour, so. Let's do the 24th at 1:00 p.m., if that works. And does it work for the LBA? Okay.

All right. Our next meeting will be March 24th at one -- at 1:00 p.m. in the afternoon. Do we anticipate much -- do we know anything? I should have asked Mr. Smith if he had -- he was going to dump three audits on us or something.

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

MR. KANE: We can control that. I'll talk to the Chair. We can hold whatever you need, especially since you're meeting later. We might have some Management Letters, but we can hold those until April if we need to. But I'll -- I'll monitor the agenda to see the size and then I'll notify you.

CHAIRMAN WEYLER: All in your good hands.

MR. KANE: Okay.

REP. WEYLER: If there's nothing further to come before us, I appreciate the alternates from the House side always showing up and staying in touch with all the agenda. Thank you very much. That's hasn't been customary in the past for alternates, but I appreciate it. Thank you all. A motion to adjourn is in order.

****** SEN. D'ALLESANDRO: So move.

CHAIRMAN WEYLER: Motion by Senator D'Allesandro, second by Senator Gray that we adjourn at this time. All in favor say aye? Opposed no? Motion is adopted. Thank you all for coming. Thank you for the fine work of the LBA and as Mr. Smith I was going to ask him if we go to the afternoon of the 24th, will we expect multiple audits that we'd be reviewing on that day or likely no?

MR. SMITH: I think we'll have a couple of Liquor and Lottery Commission letters.

CHAIRMAN WEYLER: Just letters?

MR. SMITH: Yeah.

CHAIRMAN WEYLER: Okay. Thank you very much and appreciate you bringing your folks out here today. Wanted to give them some recognition. I want them to make sure they know we appreciate their work.

(Audio ended.)

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023

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, February 17, 2023, and has been transcribed to the best of my professional skill and ability.

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

JOINT LEGISLATIVE FISCAL COMMITTEE

February 17, 2023