

JOINT LEGISLATIVE FISCAL COMMITTEE

Legislative Office Building, Rooms 210-211

Concord, NH

Thursday, November 9, 2023

MEMBERS PRESENT:

Representative Kenneth Weyler, Chair

Representative Keith Erf

Representative Jess Edwards

Representative Mary Jane Wallner

Representative Mary Heath (Alt.)

Representative Maureen Mooney (Alt.)

Representative David Huot (Alt.)

Representative Gerald Griffin (Alt.)

Senator James Gray

Senator Jeb Bradley

Senator Regina Birdsell

Senator Lou D'Allesandro

Senator Donna Soucy (Alt.)

(1) Acceptance of Minutes of the October 19, 2023 meeting

KENNETH WEYLER, State Representative, Rockingham County, District #14: Good morning. Call the Fiscal Committee meeting to order for November 9th, 2023, and welcome Senator Soucy filling in for Senator Rosenwald, and Representative Heath filling in for Representative Leishman.

Um -- first item on the agenda is acceptance of the minutes of October 19th.

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

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

CHAIRMAN WEYLER: A motion by Senator Gray, second by Senator Bradley to adopt the minutes from October 19th. Further discussion? Seeing none, you ready for the question? All in favor say aye? Motion is adopted.

*** {MOTION ADOPTED}

CHAIRMAN WEYLER: We welcome, Senator D'Allesandro.

KEITH ERF, State Representative, Hillsborough County, District #28: I just count him. Should I say ten instead of nine?

CHAIRMAN WEYLER: Yes.

REP. ERF: He was at the door.

CHAIRMAN WEYLER: You can say nine and then --

REP. ERF: Okay.

CHAIRMAN WEYLER: -- add him. He didn't vote, but.

(2) Old Business:

CONSENT CALENDAR

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

(4) RSA 9:16-c, I, Transfer of Federal Grant Funds:

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

AMERICAN RESCUE PLAN 2021

CONSENT CALENDAR

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

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CHAIRMAN WEYLER: All right. There is no Old Business under Tab 2. We have a Consent Calendar from Tab 3 through Tab 6. Is there any Member that wishes any item removed from Consent?

** SEN. BRADLEY: I'll move the Consent Calendar.

SEN. GRAY: Second.

CHAIRMAN WEYLER: Motion by Senator Bradley, second by Senator Gray to adopt the Consent Calendar, Tabs 3 through 6. Any further discussion? Seeing none, are you ready for the question? All in favor say aye? Opposed no? Consent Calendar is adopted.

*** {MOTION ADOPTED}

REGULAR CALENDAR

- (7) RSA 9:16-a, 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, and RSA 9:17-a, III, Limitations:

CHAIRMAN WEYLER: Moving on to the Regular Calendar. On Tab 7. First item is 23-339, Department of Health and Human Services, transferring \$15 million and so on between various class lines. Any -- any questions from Committee Members? Senator D'Allesandro moves to approve the item.

SEN. GRAY: Second.

CHAIRMAN WEYLER: Seconded by Senator Gray. Is there any further discussion? Seeing none, all in favor say aye? Opposed no? The item is adopted.

*** {MOTION ADOPTED}

- (8) RSA 198:15-y, III Public School Infrastructure Fund:

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CHAIRMAN WEYLER: Moving on to Tab 8, Item 23-322, Office of the Governor. See we -- oh, he left.

SEN. GRAY: His budget man's here.

CHAIRMAN WEYLER: Oh, his budget man's here. Okay. Uh -- any questions on -- on the Item 23-322 by Members of the Committee?

****** LOU D'ALLESANDRO, State Senator, Senate District #20: Move the item.

CHAIRMAN WEYLER: All right. Seeing none. Motion to approve the item by Senator D'Allesandro.

SEN. GRAY: Second.

CHAIRMAN WEYLER: Seconded by Senator Gray. Is there any further discussion? Seeing none, are you ready for the question? All in favor of adopting 23-322 say aye? Opposed no? That item is adopted.

***** {MOTION ADOPTED}**

(9) RSA 206:33-b Transfers from Fish and Game Fund:

CHAIRMAN WEYLER: Moving on to Tab 9, an item from Fish and Game, 23-323 for water tests for the fish hatcheries. Any questions from Committee Members? Seeing none.

****** SEN. D'ALLESANDRO: Move.

CHAIRMAN WEYLER: Senator D'Allesandro moves the item.

SEN. GRAY: Seconded by Bradley.

CHAIRMAN WEYLER: Seconded by Senator Bradley. Is there any further discussion on the item? Seeing none, all in favor say aye? Opposed no? That item is adopted.

***** {MOTION ADOPTED}**

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

CHAIRMAN WEYLER: Moving on to Tab 10. The item is 23-325 from New Hampshire Fish and Game again. Any questions on the item? Senator Gray.

SEN. GRAY: Uh -- we would like to get an update on the progress.

CHAIRMAN WEYLER: Director. Director Mason will answer your question. Senator Gray is recognized for a question.

SEN. GRAY: Since we have in HB 2 clarification, there was some controversy between the Department and the Senate about what was going to be done. Wanted to get an update since you're asking for 25,000.

SCOTT MASON, Executive Director, Fish and Game Department: Um -- Scott Mason, Executive Director, New Hampshire Fish and Game. Um -- yes, Senator. This -- what we're asking for is \$25,000 which will be the contractual amount for the supplier for the software. Um -- we have had a couple of minor setbacks. Um -- we have been working with a company called S3, and they have been purchased by a company called PayIt, and that did slow down the -- the process in-between the -- the renewal contract and the new contract.

I think the good -- I think this is actually a good thing for us. S3 was a company that only dealt with Fish and Game issues, licensing, hunting, lottery, stuff like that. PayIt is a bigger company that does other types of work, including automobile registration. So I think that they actually bring

some new skills to the table for us, and I think it'll actually be very helpful on this particular item.

The other issue that has taken place, the employee that was in charge of our licensing and registration section has retired, and we have just recently replaced her with a new employee. And we believe things will be moving a little quicker now that we have that changeover in place.

Um -- I think the big issue that still lays ahead of us is when we get into fulfillment, we will probably need to hire an additional employee. One of the issues with on-line registration versus our -- our historic registration system that relied upon agents, the agents supplied the labor to fulfill, you know, to hand over the registration. Um -- here, Fish and Game will be in that process. Obviously, on-line these folks won't be standing in the office. We'll be having to mail that out. So we are anticipating the need for an additional employee when we get there.

At this time, we do believe that we will be on target for September 1st, 19 -- I'm sorry -- 2025 deadline.

CHAIRMAN WEYLER: Further question.

SEN. GRAY: And that will include both renewals and new registrations?

MR. MASON: Yes, sir.

SEN. GRAY: Thank you.

CHAIRMAN WEYLER: Further questions from Committee Members? Entertain a motion to dispose of this.

SEN. GRAY: So move.

CHAIRMAN WEYLER: Question. Senator D'Allesandro.

SEN. D'ALLESANDRO: Did he say September '25?

CHAIRMAN WEYLER: Yes.

SEN. GRAY: I believe that's --

MR. MASON: That's the deadline in House Bill 2, I believe.

SEN. D'ALLESANDRO: Right, right. Okay. That's -- that's a year off.

SEN. GRAY: Yes, sir.

CHAIRMAN WEYLER: Yeah, that's like almost two years off.

SEN. D'ALLESANDRO: Okay. If we can't move any faster than that, we're in trouble. We've been talking about this like forever, and now we -- we -- we find out the person who's there is gone. We have to replace that person. We may need another person. And the efficiency and effectiveness that we were looking for --

SEN. GRAY: {Inaudible} put your mic down.

SEN. D'ALLESANDRO: Sure, sure. These timelines don't make any sense to me is what I'm saying. Here we -- we've talked about this and now we're talking about two years and our -- our goal was to expedite this.

SEN. GRAY: Yep.

SEN. D'ALLESANDRO: I thought. Anyway, that's -- that seems to be the conversation that was around this table the last time we met. Let's get it done.

SEN. GRAY: Right.

SEN. D'ALLESANDRO: Now -- uh -- now it's off until '25.

SEN. GRAY: As I remember the conversation at the Finance Committee meeting -- um -- that by September of 2025 the old commitment was, from the Department, was to only have one -- and I don't remember whether --

MR. MASON: Renewal.

SEN. GRAY: It was renewals on-line by then. And that date was, in their opinion, not firm. Okay. So right now it is an improvement if we have a firm date for both the new registrations and the renewals. And, certainly, Senator, I would encourage all of us to encourage them to -- to improve on that date, because the Snowmobile Association and a few others are very, very vocal on this, and so -- but if they can come back with something --

SEN. D'ALLESANDRO: Right.

SEN. GRAY: -- you know, a request, and that enables them to cut a year off of this or whatever --

SEN. D'ALLESANDRO: Right.

SEN. GRAY: -- I'm sure that both you and I will entertain and do what we can.

SEN. D'ALLESANDRO: Right. Well, I enthusiastically support expediting the situation. I think it just makes a lot of sense.

SEN. GRAY: And if I may? I didn't know if Mr. Mason wanted to add anything to what I said.

MR. MASON: No. I would just remind the Committee part of the issues facing the Department -- um -- we had other requirements that predated the on-line registration requirement, and we have been working diligently on those. And what we have done, basically, is put them in line.

Um -- we are -- this is the first year that we're offering on-line deer registration. That has been going very well. Um -- we shutdown on-line deer registration twice during the season so that we can collect biological samples of deer coming into registration stations. Today happens to be one of those days. But in the early part of the season we were running about a 61 percent on-line registration participation of our hunters. So I would dare say that that has been a fairly successful program.

The next in line is to change our on-line licensing program so that if you have a suspended license anywhere in the United States you will not be able to buy a license in New Hampshire which, believe it or not, for most folks the inability to buy a license is a bigger penalty than actually a cash penalty that they also receive when they -- when they do a violation. So those are the things that we've been working on.

The third issue that we're currently working on and will continue to work on is we're having to update our -- a lot of our database systems that are no longer supported by the software company. So we are in the process of updating twelve of those. So that's why we needed some extra time, all the different projects that we're doing on the computer front in the Department.

CHAIRMAN WEYLER: Further questions from Committee Members? Did we already have a motion on this?

REP. ERF: Senator Gray. No second.

CHAIRMAN WEYLER: Yes, we did. All right. A motion -- we don't have a second on the motion.

SEN. BRADLEY: Second.

CHAIRMAN WEYLER: Second from Senator Bradley. Any -- any further discussion? Seeing none, are you ready for the

question? All in favor of adopting say aye? Opposed no? Thank you, Director, that is adopted.

MR. MASON: Thank you.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: And we move next to a late item, FIS 23-340.

MICHAEL KANE, Legislative Budget Assistant, Office of Legislative Budget Assistant: Sorry, Chairman Weyler. Under Tab 11 is 23-326. It's a request by the Department of Treasury to release the Unique --

CHAIRMAN WEYLER: Ah! Sorry.

MR. KANE: -- and 529.

(11) Miscellaneous:

CHAIRMAN WEYLER: I see the Treasury is here. All right. Under Tab 11, 23-326 will be the next item on the agenda. A request to release the audit from the 529.

{Inaudible}.

CHAIRMAN WEYLER: Okay. Motion by Senator D'Allesandro, second by Senator Soucy to adopt the report. Any further discussion among the Committee Members? Seeing none, all in favor say aye? Opposed no? That report is adopted.

***** {MOTION ADOPTED}**

LATE ITEM:

CHAIRMAN WEYLER: Now we move on to the late item, 23-340, Department of HHS, dealing with the building of -- transferring money from ARPA from -- to the construction

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of the new Youth Development Center. Are there any questions on this from the Committee?

{Inaudible}.

CHAIRMAN WEYLER: Senator Blaisdell.

SEN. GRAY: Birdsell. Close enough.

CHAIRMAN WEYLER: Birdsell. I've only known you for 20 years. I'm sorry.

REGINA BIRDSELL, State Senator, Senate District #19: I know, I know.

CHAIRMAN WEYLER: Senator Birdsell.

SEN. BIRDSELL: Thank you. And thank you for taking my question. Um -- as you know -- um -- we're working on the security aspect of the Youth Development Center in Hampstead, and I -- I have to say I have some concerns.

So we authorized 21 million in the House Bill for the building of the Youth Development Center in Hampstead. Now we need -- it looks like we're -- you're going to need an additional is it nine thousand -- six or -- uh -- million?

REP. ERF: Six and a half million.

LORI WEAVER, Commissioner, Department of Health and Human Services: Six million roughly, yes.

SEN. BIRDSELL: Okay. Um -- for what purpose?

MS. WEAVER: Sure. Thank you for the question. Lori Weaver, Commissioner, HHS, for the record.

So let me -- great question. Why are we here? So back with HB 49, 21 million, and with that legislation came specific

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elements that needed to be involved in that design for a safe environment and a therapeutic environment.

So at the time that we did the 21 million, as we do with a lot of our projects with DPW, we don't have an architect on board. We do our best guesstimate at projection of cost at that time. So given all that we had, that was the estimate that we're at was at 21 million.

Since then, we hired an architect. When we sat down with our teams of DPW, HHS, and the architect, we realized that what was in scope and spec was going to cost more than 21 million. So what the team did -- um -- for at least three or four weeks was to try to make it work. Can we make these numbers work? Can we look at what we have budgeted in those specs? And it just wasn't working.

So then we began to cut. And when you cut, you cut space. So we did our cuts as much as we could without sacrificing safety and those components.

So at the end of the day, I think the original with the architect we were almost looking at double the square footage. We got that down to 32,000 square feet, as opposed to the -- I think it was the 25,000 -- um -- gross square feet. So there was a lot of cuts, a lot of -- but at the same time not sacrificing the safety component of it.

So -- um -- we don't come to ask with this lightly. This is, obviously, a serious ask. We know what was budgeted for it; but at the same time I can't tell you in good conscious that I can build a facility that's safe and meets those requirements with the 21 million.

So we looked within our budget of where did we have that we wouldn't be spending General Fund dollars to be able to re-allocate and working with GOFERR and DAS and Nathan's team, and that's where that money is.

So our goal is to be able to stay within that. There's contingencies built into that as well because we know by the time we start construction we'll be a little bit of time out from now. And if you've ever done any construction right now at your house or anything, you know that it's hard and prices and supply chain and all of that are challenges. So that's why we are where we're at.

CHAIRMAN WEYLER: Follow-up.

SEN. BIRDSELL: Thank you for that, Commissioner. The other concern I have is seeing that the issues that we had at Hampstead Hospital currently, and I know the Youth Development Center is going to be much more -- is probably going to be much more secure; but based on what I'm reading here the population has changed at the Youth Detention Center. Now a third are waived to adult status and will be at the facility until their age of their 18th birthday. A third have been committed to serve their sentences at the facility; but then a fourth have gang affiliations, all of whom be separated by sight and sound.

How can you guarantee the Town of Hampstead that we're not going to have juveniles absconding? I'm nervous as it is, and now we have gang affiliations coming into Hampstead. I'm nervous about what's going to happen and the security aspect of the Youth Development Center in Hampstead.

MS. WEAVER: Sure. So we have gang affiliated youth now more than we've had in the past; but we don't always have gang affiliated youth; but there is a rise in gang activity in our bigger cities, for sure.

One of the things that we're looking at is how do we as a state work to make sure we provide resources and try to keep kids out of the system. And that's when we think of our juvenile justice transformation efforts, we've reduced 50% of kids that used to be going into the system, we've now reduced that by 50%.

So what we're looking at for an eye towards the future is we have 18 beds, can't go above 18 beds. We're going to stick with those 18 beds and to make sure that kids that don't need to enter that system aren't; but they're still getting the care that they need otherwise.

So that's what we're going to be and have been focusing on and will continue to focus on. So that the youth that are there are the youth that are absolutely required to be there, but also don't languish there.

I think that's another piece of this. When we have youth that are committed, it's hard if that's going to be their home for the next three years. That's -- that's a really hard place to be. So we're working to make sure that we don't have kids languishing there. That they have opportunity to get services, otherwise. And I would tell you the facility at -- in Manchester is very secure. And my expectation is with the money that we have to do this build that this facility has to be just as secure as that.

SEN. BIRDSELL: Thank you.

CHAIRMAN WEYLER: Representative Edwards for a question.

JESS EDWARDS, State Representative, Rockingham County, District #31: Thank you, Mr. Chair. Thank you, Commissioner, for taking my questions. I -- I think I have like three little ones.

Um -- the -- because we're in a design phase of the physical facility, we've -- I understand that we have to plan on 18, but it's still the case that operationally we're anticipating about 12. Is that -- is that -- does that still hold up?

MS. WEAVER: I think it's really hard to -- to project out what we're going to have in -- in three years. I know that we had an average of twelve when we -- the time the legislation

passed that's what we were looking at. Our census has been higher than that since the spring. It's averaged around 19.

REP. EDWARDS: Huh. Okay. Follow-up.

CHAIRMAN WEYLER: Follow-up.

REP. EDWARDS: Um -- when I -- when I think we started talking about the 21.6 million for the facility, all of the estimates that we used that you've pointed out came internally from the Department as opposed to architects. Um -- the initial plan was to -- to build a stand-alone facility. And since then I think a lot more time has been spent on trying to figure out how to really integrate the services and -- um -- and -- and -- um -- and the shared services between the two facilities. It's some amount of this additional dollar cost, it seems to me, needs to be associated with making sure that we've integrated the security systems, we've integrated the physical facility, and those I don't believe were included in the original 21.6 estimate. Am I mistaken?

MS. WEAVER: When you say integrate the security, can you be more specific?

REP. EDWARDS: It -- it -- okay. So we've been taking a look at the security at Hampstead. Now we're bringing in a new building -- uh -- with additional kids. It seems to me, like, we have to make sure that there is a comprehensive security system to ensure the public safety around the building -- uh -- and that -- and that we have the Hampstead security, we have the YDC security, but we really need a campus-wide security program. And that -- that's -- that's -- that, to me, seems bigger than what -- what we had anticipated initially. Am I -- maybe I'm mistaken.

MS. WEAVER: Well, I think it would be fair to say that we may not have anticipated how big the need would have been at that time. So I think there's an opportunity here to look at the campus as a whole, to your point, Senator Birdsell, about the

security and the component of it. How do we maximize that resource for that particular campus?

REP. EDWARDS: Okay. So -- so, in addition to the inflation and the additional square footage, there -- there are other aspects to this request that are going to make sure that these two buildings are -- represents sort of an integrated campus environment is what I'm thinking I want to hear.

MS. WEAVER: Yeah. I -- in terms of the specifics, I think, of this money, I think it's bound to if -- correct me if I'm wrong, the bounds of what this money for is for the YDC build. That doesn't mean that we can't have an impact on the campus; but I can't take this money here and spend it on something for the hospital. But if I'm talking about safety on a campus, and that there's a piece of that that I'll probably have to consider a financial end from the Hampstead side as well, not just the YDC side.

REP. EDWARDS: Okay. That -- that -- that's a good answer. Thank you.

SEN. BRADLEY: Thank you very much. So in the budget somehow an Amendment did not get included in the final version of the budget that dealt with Hampstead's payment in lieu of taxes. I'm assuming that the payment has been made?

MS. WEAVER: Yes.

SEN. BRADLEY: Okay. And will be on an ongoing basis?

MS. WEAVER: Yes. I believe we have legislation to make sure that it does get included for this session, yeah.

SEN. BRADLEY: And there's -- if I can follow-up?

CHAIRMAN WEYLER: Follow-up.

SEN. BRADLEY: Can you address some of the ongoing security issues, how maybe it's changed at the hospital before we get to YDC? I mean, I hear some people think it's improving, other people say no, it isn't; but I'd like to hear what you have to say.

MS. WEAVER: Sure. So I think the hospital that the State purchased had a history of having clientele that were probably a little bit different than what we have now. That said, since COVID we know that mental health has been a significant issue for many of our youth, many of our citizens in the state, and we've seen an increase in acuity.

Part of the goal in purchasing the hospital is that we would be able to serve all of those folks. That we wouldn't be saying, you know, you but not you. It would be that we'd be able to provide that. And at the same time we took over the hospital, we had a transition vendor come in at the time. We had said we were always going to RFP that service but for the start-up we would do that. And I think we've had a rocky start-up. I mean, I -- I don't think, you know, I'm not going to sugarcoat that. We've been clear. We've been clear with the town. We met with the town.

I think when you look at the data from -- we had a rough summer. But you look after the summer, September, October, we started to level out a little bit. Part of that leveling out is our intentional. We have leadership there that's -- uh -- constantly working with the vendor to say adjust here, adjust there. This isn't working, push and pull, all of that. And I -- and I think it's had an impact.

It's going to be a constant effort to make sure that the children are safe and that the facility is not disrupting the town and not over demand on the services in the town. And we are trying to strike that balance constantly. I'm -- I'm confident we can get there. It's going to take us a minute though.

So I would like to, you know, we have an RFP that's going out. We're in November, yep. This month for the service for the clinical psychiatry at the Hampstead Hospital. And we're hoping to award a new vendor by the end of this Fiscal Year and hope to see continued in progress. So that by the time we get to a YDC build we're not -- we're not in this spot right now; but we're in it and I -- I acknowledge that.

SEN. BRADLEY: Okay. Thank you.

CHAIRMAN WEYLER: Senator Blaisdell for a question.
Senator Birdsell.

SEN. BIRDSELL: I'm going to start changing my name, Representative. Mr. Chair.

CHAIRMAN WEYLER: I'll just call you Regina.

SEN. BIRDSELL: Okay. I -- I had talked to Dr. Henn prior. One thing I forgot to ask you was -- um -- based on the footprint we had requested -- as the Commission we had requested to take a look at the footprint, the design footprint that was going to be on the campus. Um -- I'd like to see if we can get for our next Commission meeting on the 20th, if we can get a copy of a portrayal of what the -- what the initial footprint would have been, and a footprint of the additional space to see what -- what difference -- the Commission can take a look at what difference it would make.

MS. WEAVER: Sure, we can do that.

SEN. BIRDSELL: Thank you.

CHAIRMAN WEYLER: Senator Gray.

SEN. GRAY: If I may? Procedurally and, you know, preaching to the choir, there's two things that Mr. Kane knows that I -- I dislike and that's the word retroactive but also late. Okay. And, certainly, I didn't get a copy of this late item until

yesterday at the meeting with Mr. Kane. It is such an important issue -- um -- that, you know, bringing it to us within 24 hours of, you know, when we're going to hear it, certainly is generating a lot of these questions which could have been taken care of ahead of time. Not that you have to comment, but just for future, you know, knowledge that -- uh -- you know, taking a late item on a very -- a topic that is very near and dear to a lot of us, is not a good idea.

MS. WEAVER: May I -- may I comment?

SEN. GRAY: Absolutely.

MS. WEAVER: I don't like the word late either. I agree with you. I think if we had the choice to bring this and wait till December we would have; but we're running out of time given that the money we're using is ARPA money for this project.

As you all know, there's timelines and constrictions, and we're still trying to work with the architect. So the longer we wait, the longer we put off the design and the more we put the project at-risk. So we did not take the request to ask lightly. And we knew that it was a significant topic, it would generate questions, which is why I'm sitting here right now. Thank you.

CHAIRMAN WEYLER: Representative Erf for a question.

REP. ERF: That was my question.

CHAIRMAN WEYLER: That took care of it? Okay.
Representative Wallner for a question.

MARY JANE WALLNER, State Representative, Merrimack County, District #19: Thank you. When we were working on the Hampstead budget during the February and March last year -- um -- something that came up a lot was that the staffing there was an issue. And -- um -- they had a lot of vacancies. Has that improved?

MS. WEAVER: At Hampstead Hospital?

REP. WALLNER: Yes.

MS. WEAVER: Yes, I would say that it's in a better spot than it was before; but there's -- attrition is steady at many of our 24/7 facilities. It's hard to -- um -- attract and keep staff in those positions.

REP. WALLNER: Further question.

CHAIRMAN WEYLER: Further question.

REP. WALLNER: So what sort of a vacancy rate do you think Hampstead Hospital has at this point?

MS. WEAVER: I don't have that off the top of my head. It's -- well, yeah, it varies by position; but do we have an aggregate? We can get that to you. I don't have it at my fingertips.

REP. WALLNER: Okay. One further question.

CHAIRMAN WEYLER: Further question.

REP. WALLNER: So the increase of square footage that this item addresses will, hopefully, address. There is no anticipation here that you will go over 18 children at that site; is that correct?

MS. WEAVER: Correct.

REP. WALLNER: Thank you.

CHAIRMAN WEYLER: Senator Birdsell, further.

SEN. BIRDSELL: Just, Dr. Henn, correct me if I'm wrong, 'cause I just did the interim report so the numbers are kind of in my head. But when we started the Commission, and like I said,

Dr. Henn, correct me if I'm wrong, the -- at least at Hampstead Hospital I think the management was at 100%. The -- and I think the youth counselors -- is that what they're called, YC's -- are -- were at four -- 50 to 60% vacancy rate.

MS. WEAVER: Are we talking Hampstead or YDC?

SEN. BIRDSELL: I think we're talking Hampstead.

MS. WEAVER: Okay. Because the YC's are at YDC. I think --

SEN. BIRDSELL: Okay.

MS. WEAVER: The State has -- we have our leadership positions which are full except for our CEO which we're in the process of getting a new CEO for the state side. They have nurses and clinicians and direct care staff. So there's different numbers for each of those categories.

SEN. BIRDSELL: Right. I think the -- the -- um -- the management I know is 100%, and I think the lower echelon they were looking at anywhere from 50 to 60 percent vacancy rate.

MS. WEAVER: We can get it to you. I don't want to best guess, but we can get that to you.

SEN. BIRDSELL: Thank you.

CHAIRMAN WEYLER: Representative Edwards.

REP. EDWARDS: Thank you, Mr. Chair. It's -- it took me a while to think about it. Um -- but I -- I think I'm a little concerned that our census is -- has been holding in around the 19 level, when all the -- all the trends indicated that 12 would be a good estimate for future operational capacity. And so I -- I would appreciate it if off line or back to the Fiscal Committee or over to oversight if we could get an update on the numbers that we're looking at for the census. Because we -- we -- I think we were anticipating that in the future

budgets when the YDC came in it would be built around a census of 12. And so I'm starting to hear that maybe that was not a good -- um -- planning estimate on our part.

So -- so if we could just -- if I could get some more data, if we could get more data on what's going on with the census, I'd appreciate it.

Mr. Ribsam used to have some really great census charts and data. And so I assume the new guy has continued to collect that kind of data. If I could get an update.

MS. WEAVER: Sure. The new guy's here. That's why I'm looking back here.

REP. EDWARDS: Mr. Rocha?

MS. WEAVER: Yeah. Mr. Fleischer, yes.

REP. EDWARDS: All right. Thank you. Thank you, Chair.

MS. WEAVER: I do have a -- I do have -- Marissa was able -- it looks like at this point we're 77% full for the direct care positions at Hampstead.

SEN. BIRDSELL: And that was a question I think we were going to have a presentation of that at the Commission as well. It's on the agenda.

MS. WEAVER: May I add something?

CHAIRMAN WEYLER: Go ahead.

MS. WEAVER: Um -- I just -- in terms of state builds, I just wanted to remind folks we're facing some of the similar stuff with the forensic hospital in terms when we did the design, and then we had to come back to you and ask for a little bit more money.

So it's not too off of the process we have to do that. But I guess, with that, I just want to say we -- we take it very seriously with how much money we have, and what are -- what is the requirement that we have to do that. So we're -- we're not building more than what we need to or more than what we had to and we're taking that very seriously.

CHAIRMAN WEYLER: It's an impressive size building for 18 people. So there's, obviously, going to be a lot of classrooms and office space.

MS. WEAVER: Actually, there'll be minimal office space. We're trying to create more of an open concept. Part of the reason for the space being big is that when we have sight and sound separations for youth, we need to be able to have the ability to swing and flex for that. So there would be day space where they are, where they sleep, where they eat, where they go to school, and then where they recreate, and when you have restrictions, and then when you have gender issues, separations as well. So that's some of the reason for the larger footprint on that.

CHAIRMAN WEYLER: Thank you. Further from the Committee?

** SEN. BRADLEY: So move the item.

REP. ERF: I have a comment.

SEN. BRADLEY: Oh, sorry.

CHAIRMAN WEYLER: All right. I'll accept the motion from Representative Bradley, second from Senator D'Allesandro. And a question from Representative Erf.

REP. ERF: I don't have a question, but I am going to be voting no because I have the same concern that Senator Gray had. This -- there's really no reason that this shouldn't have gotten to us sooner. I didn't get it until today. I realize it was e-mailed out yesterday; but I didn't catch it and I don't know

why -- can you explain why there's a rush, but why wasn't the rush a month ago if it was that important? You don't need to respond.

CHAIRMAN WEYLER: Okay. Have a motion and a second. Further discussion from Committee Members? Seeing none, are you ready for the question? All in favor of approving the item say aye? Opposed no?

REP. ERF: One, me. No.

CHAIRMAN WEYLER: One in opposition. You want to be recorded, please do so.

REP. ERF: Yeah.

CHAIRMAN WEYLER: Motion is adopted. Thank you.

***** {MOTION ADOPTED}**

(12) Informational Materials:

CHAIRMAN WEYLER: We have an item in information that we're all interested in about the -- the ongoing arguments for the payment of funds to the people that were abused in the Youth Development Center and its predecessors. That person will not be available here until noon.

Before I take a recess until that time, since all of you are here and interested, if there's anybody else that has any question or anything they want to add, we'll have some time to hear from any of the public that wants to question anything. All right. That's the opportunity. Um -- Legislative Budget Assistant Kane, do you have anything.

MR. KANE: No. I didn't know if you wanted to pick a date for the next meeting before you recess.

CHAIRMAN WEYLER: That's a good idea. Tentatively that Friday would be the 15th of December. Some of us are going to have a meeting earlier that day for Facilities meeting -- Capital Budget Overview, rather, at nine that same day. And then I'd put Fiscal at ten. That will work for people? Anybody have a problem with the date of December 15th at 10 o'clock?

There's no objection we'll set that meeting for next month, Friday, December 15th, at 10 o'clock, here in this room for the Fiscal Committee meeting. Um -- most generally that -- that month of the year is we're going to accept things for the Consolidated Annual Financial Report, because that has a deadline that same month; and many of you remember that we quite often are giving an extension of the date but hopefully not.

SEN. D'ALLESANDRO: {Inaudible}.

CHAIRMAN WEYLER: We've had a good -- we've had a good comptroller, and I'm expecting that we will be here to approve that. So that -- that will be the -- one of the major items we know of right now. So an important thing to get that CAFR moving forward.

If there's nothing else, we'll be in recess until noon. That's just a few more minutes. So what time is it really?

SEN. GRAY: Quarter of 11.

REP. ERF: 10:45.

CHAIRMAN WEYLER: All right, we have plenty of time for an early lunch and, hopefully, back at noon, those of you that are interested in what's happening in the litigation process. We are in recess.

REP. ERF: I'm going to put down recess at 10:45.

(A recess was taken.)

JOINT LEGISLATIVE FISCAL COMMITTEE

November 9, 2023

CERTIFICATION

I, Cecelia A. Trask, a Licensed Court Reporter in the State of New Hampshire, do hereby certify that the foregoing transcript was transcribed by me from a YouTube recording. I was not physically present at this meeting, and I have transcribed the said recording to the best of my ability, skill, knowledge, and judgment.

Cecelia A. Trask, RMR, CSR
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