

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
May 21, 2021

The Fiscal Committee of the General Court met on Friday, May 21, 2021 at 10:00 a.m. via Zoom Webinar.

Members in attendance were as follows:

Representative Ken Weyler, Chairman
Representative Lynne Ober
Representative Tracy Emerick
Representative Peter Leishman
Representative Karen Umberger
Senator Gary Daniels
Senate President Chuck Morse
Senator Bob Giuda
Senator Cindy Rosenwald
Senator Donna Soucy (Alternate)

The Zoom Webinar convened at 10:07 a.m., with the assistance of Michael Kane, Legislative Budget Assistant.

OFFICIAL AUDIO CONFERENCE MEETING PROCEDURES:

The Chair opened the meeting with the following Right-to-Know checklist;

“As Chair of the Fiscal Committee, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 Pandemic, and in accordance with House Rule 67 and the Governor's Emergency Order #12, pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. This is a regular meeting of the Committee.”

“Please note that there is no physical location for members of the public to observe and listen contemporaneously to this meeting. However, in accordance with the Emergency Order, I am confirming that; all Members of the Committee and select legislative staff have the ability to communicate contemporaneously during this meeting through the Zoom electronic meeting platform; and the public has access to contemporaneously listen and, if necessary, participate in this meeting by the Zoom platform or by telephone.”

“All necessary access information has been made available in the House and Senate Calendars, and through the electronic calendar on the General Court website. The notice for this meeting complies with House Rules and RSA 91-A. Anyone who has a problem accessing the meeting should e-mail LBA_Fiscal@leg.state.nh.us”

“In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. LBA staff are on the meeting assisting us. Please note that all votes taken during this meeting shall be done by roll call vote”

ATTENDANCE ROLL CALL:

The Chair called the meeting to order and asked Representative Umberger to call the Roll.

Requesting that Members acknowledge their presence, state their location and if others are present, Representative Umberger called the Roll of voting members.

Representative Ober – Present/at home in Hudson, currently alone
Representative Emerick – Present/at his home office in Hampton, alone
Representative Leishman – Present/at home in Peterborough, and his wife is in the house
Representative Umberger – Present/at home in Kearsarge, and her husband is in the kitchen
Senator Daniels – Present/in his State House Office, and his assistant is in the adjoining room
Senator Morse – Present/in his State House Office, alone
Senator Giuda – Present/at home in Warren, alone
Senator Rosenwald – Present/at home in Nashua, alone
Senator Soucy (Alternate for Senator D’Allesandro) – Present/at home in Manchester, alone
Representative Weyler – Present/at home in Kingston, alone in room and his wife is in the house

ACCEPTANCE OF MINUTES:

On a motion by Senator Rosenwald, seconded by Representative Ober, that the Committee approve the minutes of the April 16, 2021 meeting as written.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Abstained
Representative Umberger – Yes
Senator Daniels – Yes
Senator Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator Soucy (Alternate) – Abstained
Representative Weyler – Yes (8-Yes; 0-No; 2-Abstained)
MOTION ADOPTED

OLD BUSINESS:

None

NEW BUSINESS:

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

FIS 21-112 Letter from Representative Lynne Ober, Chairman of the Legislative Performance Audit and Oversight Committee – On a motion by Representative Ober, seconded by Representative Umberger, that the Committee approve the request of the Legislative Performance Audit and Oversight Committee relative to the recommendation of the following one (1) new performance audit topic: Department of Health and Human Services, Child Care Licensing Unit: Daycare Licensing.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator Soucy (Alternate) – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 9:16-a, II, TRANSFERS AUTHORIZED:

CONSENT CALENDAR

FIS 21-102 Department of Transportation was removed from the consent calendar, and Representative Ober requested the Department provide more detail on the request and, also provide more detail for future items.

Marie Mullen, Director of Finance, Department of Transportation responded to questions of the Committee.

On a motion by Representative Umberger, seconded by Senator Giuda, that the Committee approve the request of the Department of Transportation to transfer \$320,000 in highway funds between various classes through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes

Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator Soucy (Alternate) – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 9:16-c, I, TRANSFER OF FEDERAL GRANT FUNDS:

CONSENT CALENDAR

On a motion by Representative Leishman, seconded by Representative Ober, that the Committee approve the request under this section as submitted. [FIS 21-121 Department of Natural and Cultural Resources – authorization to transfer \$205,000 in federal funds and establish three (3) new classes through June 30, 2021]

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator Soucy (Alternate) – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 9:16-a, II, TRANSFERS AUTHORIZED AND RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE:

CONSENT CALENDAR

At the request of Senator Rosenwald, FIS 21-094 Department of Health and Human Services was removed from the Consent Calendar.

FIS 21-094 Department of Health and Human Services – Lori Shibinette, Commissioner, Kerrin Rounds, Chief Financial Officer, Christine Santaniello, Director, Division of Economic and Housing Stability, and Richelle Swanson, Department of Health and Human Services, presented the request and responded to questions of the Committee.

Senator Rosenwald asked if families were having difficulty finding affordable childcare and for an explanation on the decreased utilization of the childcare scholarship. The Department will follow-up with information to Senator Rosenwald's questions and determine if the decrease is due to eligibility.

Questions were asked on excess appropriations for Pediatric Mental Health Care and whether this included the Children's Mobile Crisis project, which it did not, and excess appropriations for Children's Behavioral Health, and Community Mental Health Program Support, to which the Department responded.

The Department also responded to questions regarding the New Hampshire Designated Receiving Facility and confirmed there is one individual still there with a core group of staff providing care, which is a reduction in staffing.

On a motion by Senator Rosenwald, seconded by Representative Emerick, that the Committee approve the request of the Department of Health and Human Services to transfer general funds in the amount of \$9,460,897 between various class lines, increase Federal revenues in the amount of \$2,989,003, decrease related Other revenues in the amount of \$1,184 and create new expenditure class codes through June 30, 2021.

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

Representative Ober – Yes
Representative Leishman – Yes
Representative Emerick – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator Soucy (Alternate) – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 14:30-a. VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE:

CONSENT CALENDAR

At the request of Representative Leishman, FIS 21-091 Department of Health and Human Services was removed from the Consent Calendar.

On a motion by Representative Ober, seconded by Representative Emerick, that the Committee approve the remaining requests under this section as submitted. [FIS 21-092 Department of Health and Human Services – authorization to budget and expend \$1,200,000 in other

funds through June 30, 2021, FIS 21-093 Department of Health and Human Services – authorization to accept and expend \$125,500 in other funds through June 30, 2021, FIS 21-096 Department of Health and Human Services – authorization through June 30, 2021 to; 1) accept and expend \$4,873,984 in other funds, and 2) contingent upon approval of Request #1, authorization to accept and expend \$4,878,863 in federal matching funds, FIS 21-101 Department of Military Affairs and Veterans Services – authorization to accept and expend \$105,000 in other funds through June 30, 2021, FIS 21-103 Department of Transportation – authorization to accept and expend \$12,000,000 in federal funds through June 30, 2021, FIS 21-115 Department of Administrative Services – authorization to accept and expend \$443,252 in federal funds through June 30, 2021, FIS 21-120 Department of Health and Human Services – authorization through June 30, 2021 to; 1) accept and expend \$10,443,320 in federal funds, and 2) contingent upon approval of Request #1, authorization to accept and expend \$9,444,660 in additional Intra-Agency funds from the Disproportionate Share Hospital Program, and FIS 21-122 Department of Natural and Cultural Resources – authorization to accept and expend \$2,297,692 in federal funds through June 30, 2021]

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator Soucy (Alternate) – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

FIS 21-091 Department of Health and Human Services – Lori Shibinette, Commissioner, Kerrin Rounds, Chief Financial Officer, and Joseph Ribsam, Director, Division Children, Youth and Families, Department of Health and Human Services, responded to questions of the Committee.

The Department was questioned on their contract with the State of Vermont which was approved by Governor and Council in December of 2020 and expires in October of 2022. Per the Department, the number of delinquent youths from Vermont housed in New Hampshire is intermittent and the length of stay varies, with an approximate daily rate of \$1,500 per day.

On a motion by Representative Emerick, seconded by Representative Leishman, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$118,611 in other funds through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator Soucy (Alternate) – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 124:15 POSITIONS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator Daniels, seconded by Representative Emerick, that the Committee approve the item as submitted under this section. [FIS 21-113 Office of the Child Advocate – authorization through June 30, 2021 to; 1) establish a Class 046 – Consultants]

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator Soucy (Alternate) – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 106-H:9. I. (e) FUNDING; FUND ESTABLISHED:

FIS 21-132 Department of Safety – On a motion by Representative Umberger, seconded by Representative Ober, that the Committee approve the request of the Department of Safety to budget and expend \$125,000 in other funds from the Prior Year Carry Forward Balance of the Enhanced 911 System fund through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator Soucy (Alternate) – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 215-A:23, IX. AND RSA 215-C:39, X. REGISTRATION FEES:

FIS 21-105 New Hampshire Fish and Game Department – On a motion by Representative Umberger, seconded by Representative Emerick, that the Committee approve the request of the New Hampshire Fish and Game Department to transfer \$2,400,000 of unexpended funds from Excess Registration Fees to the Fish and Game OHRV Fiscal Year 2021 Operating Budget through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senator Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator Soucy (Alternate) – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

MISCELLANEOUS:

None

INFORMATIONAL MATERIALS:

Michael Kane, Legislative Budget Assistant, responded to questions from Senator Daniels regarding the LBAO Report on Additional Revenues and Positions and Federal Coronavirus Funds for the Biennium Ending June 30, 2021 – Fiscal Committee Approvals through April 16, 2021 (RSA 14:30-a, VI).

At the request of Senator Rosenwald, Kerrin Rounds, Chief Financial Officer, and Richelle Swanson, Department of Health and Human Services, were available to responded to questions for items FIS 21-098, FIS 21-100, and FIS 21-134.

The Department will provide the Committee a spreadsheet that was issued listing the contracts which were part of the \$57,000,000 (Contracts for Program Services - listed on the table of page 2) of FIS 21-098 – Pursuant to RSA 21-P:43; RSA 4:45; RSA 4:47; and Executive Order 2020-04 as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, 2020-17, 2020-18, 2020-20, 2020-21, 2020-23, 2020-24, 2020-25, 2021-01, 2021-02 and 2021-04, Governor Sununu has authorized the Department of Health and Human Services, Division of Public Health Services to; 1) accept and expend funds from the Centers for Disease Control and Prevention (CDC), entitled Epidemiology and Laboratory Capacity (ELC) under the Coronavirus Aid, Relief, and Economic Security Act in the amount of \$71,147,969 effective retroactive to January 14, 2021 upon his approval through June 30, 2021, and 2) Create 5 new positions for laboratory, epidemiology and administrative purposes effective upon his approval through June 30, 2021.

Kerrin Rounds, Chief Financial Officer, Department of Health and Human Services, responded to questions pertaining to the Operating Statistics Dashboard SFY21 report through April 30, 2021 (FIS 21-134) and updated the Committee on the Departments potential shortfalls and anticipated lapse.

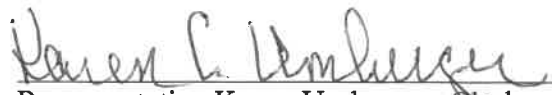
AUDIT INFORMATIONAL MATERIEALS:

No discussion occurred, however, the Chair announced that the Committee still wishes to receive the monthly status updates.

DATE OF NEXT MEETING AND ADJOURNMENT:

The Chair scheduled a special Fiscal Committee meeting for Tuesday, June 8, 2021 at 10:00 a.m. for American Recovery Program Funds and scheduled the next regular meeting of the Fiscal Committee for Friday, June 18, 2021 at 10:00 a.m. to be held via Zoom.

By Committee consensus the meeting adjourned at 10:53 a.m.


Representative Karen Umberger, Clerk