

JOINT LEGISLATIVE FISCAL COMMITTEE

VAST Conference

Friday, October 16, 2020

MEMBERS PRESENT:

Rep. Mary Jane Wallner, Chair

Rep. Susan Ford

Rep. Ken Weyler

Rep. Lynne Ober

Rep. Peter Leishman

Rep. Erin Hennessey (Alt.)

Sen. President Donna Soucy

Sen. Lou D'Allesandro

Sen. Jay Kahn

Sen. Cindy Rosenwald

Sen. Jeb Bradley (Alt.)

(The meeting convened at 10:03 a.m.)

(1) Call In Instructions:

MARY JANE WALLNER, State Representative, Merrimack County, District #10: Good morning. Welcome to the October Fiscal Committee meeting. My name is Mary Jane Wallner, and as Chair of the Fiscal Committee of the General Court, I find that due to the State of Emergency declared by the Governor as a result of COVID-19 Pandemic, and in accordance with the Governor's Emergency Order No. 12, pursuant to Executive Order 2020-04, as extended with this public body is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to this meeting that's been authorized pursuant to the Governor's Emergency Order.

However, in accordance with the Emergency Order, I am confirming that we are, one, providing public access to the meeting by telephone and with additional access possibility by video or other electronic means. We are utilizing VAST Conference for this remote meeting. All members of the Committee and the staff of State Agencies with agenda items have the ability to communicate contemporaneously during this meeting

through this platform, and the public has access to contemporaneously listen and, if necessary, participate in the meeting through dialing the following phone number: 1 (800) 356-8278 and the six digit conference code 125563, followed by the pound sign.

Two: Providing public notice of the necessary information for accessing the meeting. We previously gave notice to the public of the necessary information for accessing the meeting telephonically. Instructions have also been provided in the House and Senate Calendars, the Fiscal Committee agenda and the website of the Office of the Legislative Budget Assistant.

Providing a mechanism for the public to alert the public body during the meeting if there are problems with access. If anyone has a problem, please e-mail nheoc@dos.nh.gov.

Four, adjourning the meeting if the public is unable to access the meeting. In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call. In fact, today Senator Bradley has joined us. He's sitting in for Senator Morse.

So at this point I'd like to ask the Clerk to take the roll. Each member must state their presence and please all state -- also state whether there is anyone in the room with you during this meeting, which is required under the Right-To-Know Law. Representative Weyler, could you take the roll. Thank you.

KENNETH WEYLER, State Representative, Rockingham County, District #13: Yes, Madam Clerk (sic), can you hear me?

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Mary Jane Wallner. I'm in my home in Concord, New Hampshire. My husband is in the house.

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REP. WEYLER: Representative Ford.

SUSAN FORD, State Representative, Grafton County, District #03: Sue Ford. I'm in Easton, alone, in my house.

REP. WEYLER: Representative Leishman.

PETER LEISHMAN, State Representative, Hillsborough County, District #24: Good morning, Ken. Peter Leishman here. I'm alone in my home in Peterborough.

REP. WEYLER: Representative Ober.

LYNNE OBER, State Representative, Hillsborough County, District #37: Good morning. I'm here. I'm home. I'm alone right now, but Russ is out jogging in the rain. He'll be back.

REP. WEYLER: All right. Representative Weyler. I'm home alone in this room. There are others in the house. And Senator D'Allesandro.

LOU D'ALLESANDRO, State Senator, Senate District #20: This is Senator Lou D'Allesandro. I'm in Manchester in my home, and my wife is in the house.

REP. WEYLER: Represent -- Senator Soucy.

DONNA SOUCY, State Senator and Senate President, Senate District #18: This is Senator Donna Soucy. I am at home in Manchester and I am alone.

REP. WEYLER: Senator Kahn.

JAY KAHN, State Senator, Senate District #10: Present in Keene. Wife is elsewhere in the house.

REP. WEYLER: Senator Rosenwald.

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CINDY ROSENWALD, State Senator, Senate District #13: Good morning. Cindy Rosenwald. I'm in my home in Nashua. My husband is elsewhere in the house.

REP. WEYLER: Senator Bradley.

JEB BRADLEY, State Senator, Senate District #03: Yes. Good morning, everyone. Jeb Bradley. I am in Wolfeboro in my home and Karen is in the house but not in the room.

REP. WEYLER: Thank you. We have ten present, Madam Chair.

CHAIRWOMAN WALLNER: Thank you, Representative Weyler.

(2) Acceptance of Minutes of the September 18, 2020, Meeting

CHAIRWOMAN WALLNER: And we'll move on to the first item of business is the acceptance of the minutes of the September 18th, 2020, meeting.

FALLON REED, Planning Chief, State Coordinating Officer, Department of Safety: Madam Chair, Representative Hennessey has her hand raised.

CHAIRWOMAN WALLNER: Representative Hennessey.

ERIN HENNESSEY, State Representative, Grafton County, District #01: Thank you. I just wanted to say that I am here as well at my house in Littleton with my kids who are on their hybrid home school day.

CHAIRWOMAN WALLNER: Oh, thank -- thank you, Representative Hennessey. Thank you. Do I see a motion for accept the minutes?

****** SEN. D'ALLESANDRO: I will vote to accept the minutes.

REP. FORD: I'll second them. Sue Ford.

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CHAIRWOMAN WALLNER: So Senator D'Allesandro moves to accept the minutes of the September meeting, and Representative Ford second. Could I ask the Clerk to please call the roll.

REP. WEYLER: Representative Ford.

REP. FORD: Yes.

REP. WEYLER: Representative Leishman.

REP. LEISHMAN: I'll abstain since I was not present on the 18th.

REP. WEYLER: Representative Ober.

REP. OBER: I'm going to abstain. That's the meeting when Russ and I had been in the car accident so I wasn't present either.

REP. WEYLER: Representative Weyler, yes. Representative Hennessey was present. How do you vote?

REP. HENNESSEY: Hennessey votes yes.

REP. WEYLER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Senator D'Allesandro votes yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: This is Senator Soucy, I vote yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

(No response.)

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REP. WEYLER: Senator Rosenwald, how do you vote on the minutes?

SEN. ROSENWALD: Yes.

REP. WEYLER: Thank you.

SEN. ROSENWALD: Sorry.

REP. WEYLER: Senator -- Senator Bradley.

SEN. BRADLEY: I will abstain, also. Thank you.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Seven yes, three abstained.

***** {MOTION ADOPTED}**

CHAIRWOMAN WALLNER: Seven yes and three abstained and the motion passes.

(3) Old Business:

CHAIRWOMAN WALLNER: Now we move to Item 3 and my understanding is this item has been withdrawn. So it takes no action from Fiscal Committee.

CONSENT CALENDAR

(4) RSA 9:16-a, Transfers Authorized:

CHAIRWOMAN WALLNER: Moving on, we'll go into our first Consent Calendar and this is Tab (4). I know we don't have books, but Tab (4) in our agenda. And there are one, two, three, four items on this Consent Calendar. Are there any of

these items that people would like to have taken off to have more discussion about?

MS. REED: Ma'am, Senator Rosenwald has her hand raised.

CHAIRWOMAN WALLNER: Yes, Senator Rosenwald. Senator Rosenwald, can you hear me?

SEN. ROSENWALD: I don't think I'm on mute. I'd like to remove Item 20-207 to ask a question.

CHAIRWOMAN WALLNER: Okay. We will remove 20-207. Are there any other -- any other items that people would like to have removed for further discussion? Okay. Seeing none, then could I get a motion to accept the other items on this Consent Calendar?

****** SEN. D'ALLESANDRO: Move to accept the items on the Consent Calendar (4).

SEN. ROSENWALD: Second.

CHAIRWOMAN WALLNER: Senator D'Allesandro moves to accept the items on the Consent Calendar, and I believe that was Senator Rosenwald that second; is that right?

SEN. ROSENWALD: Yes. Yes, Madam Chair.

CHAIRWOMAN WALLNER: So I'll ask the Clerk to call the roll. The motion is that we accept the three items left on the Consent Calendar.

REP. WEYLER: Representative Ford.

REP. FORD: Votes yes.

REP. WEYLER: Representative Leishman.

REP. LEISHMAN: Yes.

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REP. WEYLER: Representative Ober.

REP. OBER: Yes.

REP. WEYLER: Representative Weyler votes yes. Senator D'Allesandro.

SEN. D'ALLESANDRO: Senator D'Allesandro votes yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Senator Soucy votes yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote is 10 yes, zero no.

***** {MOTION ADOPTED}**

CHAIRWOMAN WALLNER: The motion passes 10 to zero. Thank you, Representative Weyler. And now we have number 20-270 which is a Health and Human Services item and I would --

REP. WEYLER: Correction, 207.

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CHAIRWOMAN WALLNER: 207. I'm sorry. I'm sorry. I would like to have someone from Health and Human Services come up to address Senator Rosenwald's questions.

KERRIN ROUNDS, Chief Financial Officer, Department of Health and Human Services: Good morning, Madam Chair. This is Kerrin Rounds. I'm on the line as is Joe Caristi from New Hampshire Hospital.

CHAIRWOMAN WALLNER: Thank you very much, Kerrin. Senator Rosenwald, you have a question?

SEN. ROSENWALD: Thank you, Madam Chair. Good morning, Kerrin. Over the summer when I had a phone conversation with the Commissioner about opening the transitional beds up at Philbrick Center, she told me that the staff would be State Employees, and in this item we're being asked to approve funding for contract staffing. I think perhaps that there's to be a transition from contract staffing to employees, but I wanted to ask the Department if that is the case and we're still looking at State Employees?

MS. ROUNDS: Sure, absolutely. I'll give you an initial answer and then I'll turn it over to Joe who can give you a little more detail. But this is to do, essentially, what we've been doing at New Hampshire Hospital and at Glencliff for many years, which is to supplement our State Employees with contracted staff. And this particular contract is also to then transition those contracted staff into State Employees after nine months. So I'll let Joe add anymore to that.

JOSEPH CARISTI, Chief Financial Officer, New Hampshire Hospital, Department of Health and Human Services: Hi, this is Joe Caristi. Can everyone hear me?

REP. WEYLER: Yes.

SEN. KAHN: Yes.

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CHAIRWOMAN WALLNER: Yes.

MR. CARISTI: Good morning, Madam Chair, and Council Members. So this contract is, as you stated, the intention of this is to be temporary to permanent staffing. So we intend to work with the company and have individuals work with us for a period of nine months, and at which point in time if they tend to be good employees and good individuals and somebody we would like to join our team, we would ask them to apply for a State position.

** SEN. ROSENWALD: Thank you. That was my only question, Madam Chair. I would move approval of the item.

CHAIRWOMAN WALLNER: Representative -- Senator Rosenwald moves approval. Do I hear a second?

SEN. PRESIDENT SOUCY: I would second. This is Senator Soucy.

CHAIRWOMAN WALLNER: Senator Soucy second. And is there any further discussion or further questions about this item? Hearing none, I will ask the Clerk to call the roll. The motion is to accept the item.

REP. WEYLER: Representative Ford.

REP. FORD: Rep Sue Ford votes yes.

REP. WEYLER: Representative Leishman.

REP. LEISHMAN: Yes.

REP. WEYLER: Representative Ober.

REP. OBER: Yes.

REP. WEYLER: Representative Weyler votes yes. Senator D'Allesandro.

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SEN. D'ALLESANDRO: Senator D'Allesandro votes yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Senator Soucy votes yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote count is seven yes, zero no.

CHAIRWOMAN WALLNER: So --

REP. WEYLER: I mean ten yes. What did I say?

CHAIRWOMAN WALLNER: Oh, ten. Thank you. I was trying to figure out who it was. Thank you. The vote is 10 to zero and the motion passes. Thank you.

**** {MOTION ADOPTED}**

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

CHAIRWOMAN WALLNER: Okay. We move on now to Tab 5, which is a Department -- and there's only one item on it and it is a

Department of Safety item. Does anyone have questions about this item? Seeing none, could I have a motion?

****** REP. LEISHMAN: Move to approve.

CHAIRWOMAN WALLNER: I think that was Representative Leishman moves to approve. Do I have a second?

SEN. KAHN: I'll second.

CHAIRWOMAN WALLNER: And Senator Kahn moves to second; is that right? Any further discussion? The motion is to approve this item. Hearing no ask for discussion, I will ask the Clerk to call the roll.

REP. WEYLER: Representative Ford.

REP. FORD: Sue Ford votes yes.

REP. WEYLER: Representative Leishman.

REP. LEISHMAN: Yes.

REP. WEYLER: Representative Ober.

REP. OBER: Yes.

REP. WEYLER: Representative Weyler votes yes. Senator D'Allesandro.

SEN. D'ALLESANDRO: Senator D'Allesandro votes yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Senator Soucy votes yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

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REP. WEYLER: I have a yes from Senator Kahn. Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: See if I can count better. Ten yes, zero no.

CHAIRWOMAN WALLNER: The motion passes 10 to zero.

*** {MOTION ADOPTED}

- (6) **RSA 9:16-c, I, Transfer of Federal Grant Funds and RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000 from Any Non-State Source:**

CHAIRWOMAN WALLNER: And we'll move on now to item -- Tab (6) and, here again, there's only one item here. Would anyone like to -- do people have questions about this item?

SEN. KAHN: Senator Kahn. Yes, Madam Chair.

CHAIRWOMAN WALLNER: Okay. Thank you, Senator Kahn. Could we have someone from Health and Human Services come up to answer some questions about this item?

MS. ROUNDS: Hi, Madam Chair. Kerrin Rounds is here. I believe Katja Fox is also on the line.

CHAIRWOMAN WALLNER: Thank you, Kerrin, and thank you, Katja, for being here. Senator Kahn, would you like to ask your question?

SEN. KAHN: Yes, Madam Chair. I -- I recall this item a year ago and dollar amount that was some 45 million. Before us today is action on 2019. And we've in Keene, and I'm sure the other eight locations in the state, Doorway Projects which are the share of the funding, as I understand this grant opportunity. So what I'm wondering is the -- how this amount of funding lines up with the continuing need and expansion of the program that -- that it does match current commitments. And if there are some additional funds available for those positions that may have been hired late in the year and need to continue in order to maintain level of service or even increased levels of service. So I appreciate Kerrin and Katja being able to address that.

MS. ROUNDS: Of course.

CHAIRWOMAN WALLNER: Thank you.

MS. ROUNDS: I would just state that I know that there are not issues with having enough funding for the contractors, but I'll let Katja go into more detail.

KATJA FOX, Director, Division for Behavioral Health, Department of Health and Human Services: So good morning, Madam Chair, and Members of the Committee. This is Katja Fox, Director of the Division for Behavioral Health at the Department, and I'm in my office alone in Concord.

Hum -- so thank you, Senator Kahn, for that question. Yes, this very much does support The Doorway, the most visible activity that happens as a result of the State Opioid Response Fund. And with this additional grant award we will continue to sustain the programs that were stood up initially. And so that includes not only The Doorways, but also help support our

treatment providers, it provides recovery centers funding and a variety of other areas, including medication-assisted treatment.

We are able, because we have the no cost extension funds available as well, we're going to make some one-time investments, and we have identified those as helping the Counties implement the MAT. As you know that they are now required after a Court decision to provide and start MAT. So we're going to be working with them on that.

We are going to provide additional education and training, smoking cessation, which is a key piece of the federal requirement that they want us to focus on. And I know that a question has come up from a Fiscal Committee member about where we are with our mobile crisis RFP or Request for Proposals. That is also part of this funding. We're going to contribute to that because it's an essential service. And we have these funds available and we know that mobile crisis is being used, not only in Manchester and Nashua and Concord for mental health crises, but also for individuals who have an opioid use disorder.

One other -- so that mobile -- that mobile crisis RFP needs two commissioners to sign off on it today and it will be posted later this afternoon. And so that's in full anticipation that that will be posted this afternoon.

I have one other point, but I'll pause there for questions.

SEN. KAHN: Madam Chair, if I might continue with two other questions?

CHAIRWOMAN WALLNER: Yes.

SEN. KAHN: On the mobile crisis unit, we did put some funding into our State allocations in the Department. Is this allowing for more than one mobile crisis unit to be considered in your most -- in the RFP that's about to be released?

MS. FOX: So, again, thank you, Senator Kahn. Absolutely. The system of care SB 14 requires us to have statewide mobile crisis for children. And we're taking the opportunity with the funding that was also provided by the Legislature for the ten-year mental health plan, and we're pulling together these funds so that we have that statewide response for all populations.

So that's very much the plan. We know that it may look a little different in the North Country or your region, but that it's a vital service, and we need to be able to help individuals when they need it and where they need it. And we're really looking forward to the opportunity to spread that statewide.

SEN. KAHN: And, finally, Ms. Fox, you've hit the question that I wanted to follow-up with which is beyond The Doorways is the need both for emergency services as crisis units will be able to respond, and also referral for ongoing treatment. And I thought I heard you say but maybe -- so I'm asking to clarify, are there still dollars either in this grant or in other funding that you anticipate RFPs and awards that allow some expansion of the Spokes beyond The Doorways themselves, the intake centers, that allows for either residential treatment or ongoing treatment for people seeking continuing help?

MS. FOX: So, Senator Kahn, thank you. What I can do, I think it might be really helpful is to share the applications that were approved by SAMHSA for both the no cost extension, as well as what we call SOR2 so that you're able to see how we plan to specifically allocate those funds. We do have the ability to make changes as our circumstances may change on the ground. Who would have thought that we would be here today, six months or I guess I should now say seven, eight months ago. So I want to be able to provide that to you so you can see where we have the ability to expand and where we need to take the funds and continue to support the services that have been stood up.

With that being said, I'll use this opportunity to make a pitch. We just posted yesterday a supportive housing services

RFP, which is part of the Ten-Year Plan, and there already is one that had been posted and that closes next week and that's for transitional housing, picking up on the SUPPO Project and continuing. If you recall, we did not use the full \$5 million that was allocated for that. We used a portion of that and with the remaining funds we're procuring for an additional 22 transitional housing beds.

So there are a lot of moving parts and lots of opportunities, and we really hope that each of you talk to your partners and providers in your communities to make sure that they're aware of this and that they take advantage of those opportunities.

SEN. KAHN: Thank you for expanding on the question. I appreciate that.

CHAIRWOMAN WALLNER: Thank you. Any further questions on this item?

MS. REED: Senator Rosenwald and then Representative Ober after that.

CHAIRWOMAN WALLNER: Okay. Senator Rosenwald.

SEN. ROSENWALD: Thank you, Madam Chairman. And thank you, Kerrin and Katja. I have a couple questions specific to Nashua Doorway.

As we've talked about over the last few years, Nashua had a really rocky start with The Doorway Program and now that it's been taken over by the hospital, I'm hoping that there will be more referrals. With the previous vendor there were only three referrals. But as it started with the hospitals, The Doorway -- The Doorway was only open weekdays, I think like 9 to 5, and I know the hospital is planning, along with the Department, to expand the hours a lot. And I wonder where Nashua is with the expanded hours? Has that been done yet and what are the hours now?

MS. FOX: Thank you. Again, it's Katja Fox. And so I don't have the specific information about Nashua before me. I will tell you that the implementation by Southern New Hampshire has been really, really good and smooth. And we have seen significant increases of the referrals, as well as individuals served in that region. And I was remiss and when I was picking off what we're going to be doing with this funding opportunity going forward is that we're going to be expanding the hours and extending the hours and, if possible, go to 24/7 in high-need regions. And so in Nashua I'll get the information. There were conversations and plans, and I need to follow-up with Southern to see where those landed. But, as you know, Safe Station closed in Nashua and we engage with the City and with The Doorway to make sure that individuals are getting the services they need.

SEN. ROSENWALD: Could I follow-up, Madam Chair, please?

CHAIRWOMAN WALLNER: Yes, of course.

SEN. ROSENWALD: Thank you. So, Katja, would it be possible for the Department to get us the information on what the hours currently are in Nashua, how many referrals per month there have been for the last, let's say, three months, and if the hours have not expanded yet, when will they be expanded?

MS. FOX: So, again, Katja Fox. Absolutely we can get that to you; and some of you may have in your inbox this morning the latest Doorway report which breaks down all of the services that have been provided since its inception. And it specifically calls out the last three months. And, unfortunately, and fortunately, we've seen an increase in the numbers. Despite the pandemic, the hospitals did remain open and had in-person services available. And while we saw a drop in that and a move to more telephonic and telehealth, we're now starting to see those in-person visits increase, and we're seeing an overall increase as the months go on. And so this acceptance of this funding is critical for us to be able to continue to score the

individuals as we move forward and anticipate an increased demand.

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

CHAIRWOMAN WALLNER: Thank you. Any further questions? Representative Ober had some questions, I think.

REP. OBER: Thank you, Madam Chair. Could you ask the LBA to send us the URL this afternoon when that RFP is released. I think we've all been interested in it.

MS. FOX: Absolutely. I will share it widely. Hopefully, we'll get it to everybody who needs it; but please feel free to forward it as we get it to you.

CHAIRWOMAN WALLNER: Thank you. Any further questions? Hearing no further questions, I'll ask Representative Weyler to call the roll.

REP. WEYLER: Need a motion.

CHAIRWOMAN WALLNER: We do have a motion. We need a motion, I'm sorry. Do we have a motion on this item?

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

CHAIRWOMAN WALLNER: Senator D'Allesandro moves the item.

REP. FORD: Sue Ford second.

CHAIRWOMAN WALLNER: And Sue Ford second. And now I will ask Representative Weyler to call the roll.

REP. WEYLER: Representative Ford.

REP. FORD: Votes yes.

REP. WEYLER: Representative Leishman.

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REP. LEISHMAN: Yes.

REP. WEYLER: Representative Ober.

REP. OBER: Yes.

REP. WEYLER: Representative Weyler votes yes. Senator D'Allesandro.

SEN. D'ALLESANDRO: Senator D'Allesandro votes yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Senator Soucy votes yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote count is 10 to zero.

CHAIRWOMAN WALLNER: The motion passes. The vote is 10 to zero.

*** **{MOTION ADOPTED}**

(7) **RSA 14:30-a, VI Fiscal Committee Approval Required for**

JOINT LEGISLATIVE FISCAL COMMITTEE

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**Acceptance and Expenditure of Funds Over \$100,000 from
Any Non-State Source:**

CHAIRWOMAN WALLNER: Let's move on now to Consent Calendar number 7, and we have one, two, three, four items in this Consent Calendar. And do I have requests to take things off this Calendar?

SEN. KAHN: Chair, this is Senator Kahn. I was interested in asking a question about the Business and Economic Affairs Grant.

CHAIRWOMAN WALLNER: Okay. Senator Kahn would like 197 taken off. Okay. Any other items to be taken off? Okay. I don't hear any other items to come off. So with those -- sorry. Someone ask for another item? No. Okay. So we have three items left.

** SEN. D'ALLESANDRO: Could I move the balance of Item 7.

CHAIRWOMAN WALLNER: Yes. So that would be number 200, 201, and 214.

SEN. D'ALLESANDRO: That's correct.

CHAIRWOMAN WALLNER: And that was Senator D'Allesandro that moved the items -- the three items that are left. And do I have a second?

REP. FORD: Sue Ford second.

CHAIRWOMAN WALLNER: Sue Ford second. Any discussion of these items? Hearing none. I'll ask the Clerk to call the roll.

REP. WEYLER: Representative Ford.

REP. FORD: Sue Ford votes yes.

REP. WEYLER: Representative Leishman.

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REP. LEISHMAN: Yes.

REP. WEYLER: Representative Ober.

REP. OBER: Yes.

REP. WEYLER: Representative Weyler votes yes. Senator D'Allesandro.

SEN. D'ALLESANDRO: Senator D'Allesandro votes yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Senator Soucy votes yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote is ten yes, zero no.

CHAIRWOMAN WALLNER: Motion passes 10 to zero.

***** {MOTION ADOPTED}**

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CHAIRWOMAN WALLNER: And we'll move on now to Item 197, and that's Department of Economic -- Business and Economic Affairs. And do we have someone available to answer some questions?

MS. REED: Ma'am, Tina Kasim, her line is open.

CHAIRWOMAN WALLNER: Okay. Thank you. Thank you. Senator Kahn, did you have -- did you have questions about this item?

SEN. KAHN: I -- I'd be glad to ask the representative from BEA. Thank you, Madam Chair. If she could introduce herself again.

MS. KASIM: Yes, I'm sorry, I was -- I was on mute. Just for the record, my name is Tina Kasim. I'm the Program Manager for the Office of International Commerce within the Department of Business and Economic Affairs.

SEN. KAHN: Thank you, Miss Kasim. So the -- this item funds some personnel, and I think up to \$6,000 per recipient applicant that is awarded a grant to expand exports from New Hampshire. So I just wanted to get a sense of what is the dollar split between the amount of this grant spent on personnel and on grants or awards to New Hampshire businesses? How many awards are there to New Hampshire businesses and maybe you could give an example of a couple profile, a couple of those awardees, just so we have some sense of how these dollars are boosting New Hampshire businesses. It might just help us be better communicators about some opportunities to folks in my region and elsewhere.

MS. KASIM: Absolutely. I'm happy to cover those questions. I would start off by saying we have over 90% of the -- according to our calculations over 90%, close to 97% of this award will likely benefit New Hampshire exporters. And none of that goes -- none of the remaining percentage covers any state personnel salary or expenses.

In terms of how many awards are going to benefit or how many companies are going to benefit from these awards, from

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these \$6,000 awards, we have plans for 30 companies to benefit from those. Ten would be considered new to export companies and 20 would -- 20 of the awards would be for market expansion firms.

Now, that's obviously going to change as we move forward with the rest because as history shows us not all the companies get their budget of \$6,000 in eligible to be reimbursed. Some folks come in under budget. And so whenever we have any excess in the budget that money goes back into the pot and we allocate them to another company for another ask. So we could hit more than 30 companies or more than 30 awards. And the -- the number of market expansion companies versus new to export companies might change a little bit, but our target is ten of new to export and 20 to our market expansion.

SEN. KAHN: Madam Chair, question on that?

CHAIRWOMAN WALLNER: Yes.

SEN. KAHN: Is there a single award date so that applicants are or there's a request for proposal at a certain point and does that have a rolling date so that you hit the 30 or the more than 30, or are there two dates during the year that you accept the applications and make awards?

MS. KASIM: Yeah, we've tried a few different approaches. We do partner with the Granite State District Export Council and that is where we house the applications, the guidelines. We're able to explain the applications on-line as well through that website, and it just helps us, you know, show the strong ecosystem in New Hampshire and there is some support from the Granite State District Export Council for us to be able to review and accept these contracts or these applications pretty efficiently.

We do have -- we usually start out with one -- with the first round of applications and we'll make those available. We'll have about a three-week -- typically a three-week

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application period. Once all the applications are reviewed and money allocated, if there's any money left in the pot, which there typically is, again, you know, it's history and experience tells us we usually are able to open this up for a second round of applications.

If at that point we still have funds unallocated, what we tend to do is we'll work more one-on-one with various companies that we counsel, and we'll check in with them to talk about what their trade expansion programs or activities look like. And we'll find ways to be able to support those activities. And so, you know, and the other thing to note as well is we can be pretty flexible after that second round of funding.

As, again, as companies close out their awards, if they come in under budget that money goes back to the pot. If with our other activities under this grant, if we haven't spent all of those funds, too, also go back into the pot. Then, again, we'll reach out to various companies and make an effort to get that money out to them.

****** SEN. KAHN: Thank you, Miss Kasim. And, Madam Chair, if there are no other questions, I'll move approval of the item; but I'll let you manage that.

REP. OBER: I would second that item, Madam Chair. This is Representative Ober.

CHAIRWOMAN WALLNER: Thank you. Senator Kahn moves acceptance of the item and Representative Ober second. Is there any further discussion of this item? Hearing none, I will ask Representative Weyler to call the roll.

REP. WEYLER: Representative Ford.

REP. FORD: Representative Ford votes yes.

REP. WEYLER: Representative Leishman.

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REP. LEISHMAN: Yes.

REP. WEYLER: Representative Ober.

REP. OBER: Yes.

REP. WEYLER: Representative Weyler votes yes. Senator D'Allesandro.

SEN. D'ALLESANDRO: Senator D'Allesandro votes yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Senator Soucy votes yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote is 10 to zero.

CHAIRWOMAN WALLNER: The item passes 10 to zero.

**** {MOTION ADOPTED}**

(8) RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000

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**From any Non-State Source and RSA 124:15 Positions
Authorized:**

CHAIRWOMAN WALLNER: And we'll move on to Tab (8),
Department of Education item. Senator D'Allesandro.

** SEN. D'ALLESANDRO: I move to table.

SEN. ROSENWALD: Representative Rosenwald second.

CHAIRWOMAN WALLNER: Senator D'Allesandro moves to table.
And --

REP. BRADLEY: I've raised my hand for questions. I've
raised my hand for questions.

CHAIRWOMAN WALLNER: We right now have a tabling motion.

MS. REED: Ma'am, Senator Bradley and Representative
Hennessey have their hands raised.

CHAIRWOMAN WALLNER: This is a non-debatable motion. So I
will move -- Senator D'Allesandro moved to table, and Senator --

REP. OBER: Madam Chairman.

CHAIRWOMAN WALLNER: Senator Rosenwald second. It's a
non-debatable motion. I'll ask the Clerk --

REP. OBER: Madam Chairman.

CHAIRWOMAN WALLNER: -- to call the roll.

REP. WEYLER: The roll on the tabling motion.
Representative Ford.

REP. FORD: Votes yes.

REP. WEYLER: Representative Leishman.

REP. LEISHMAN: Yes.

REP. WEYLER: Representative Ober.

REP. OBER: Two members of the Committee have their hand raised. No discussion was called, and a motion came out of the dark. I'm going to vote no, because it's rude not to allow Members of this Committee to discuss.

REP. WEYLER: Representative Weyler votes no. Senator D'Allesandro.

SEN. D'ALLESANDRO: Senator D'Allesandro votes yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Senator Soucy votes yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Bradley.

SEN. BRADLEY: Hum -- as a first time member of the Fiscal Committee I've never seen such shameful behavior that questions aren't even allowed, but I will vote no.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote is seven Democrats yes to three Republicans no.

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CHAIRWOMAN WALLNER: The motion passes seven to three.

***** {MOTION TO TABLE ADOPTED}**

(9) RSA 216-A:3-g, Fees for Park System:

CHAIRWOMAN WALLNER: Now we move on to Tab (9) which is the Department of Natural and Cultural Resources. Do we have questions about this one?

REP. LEISHMAN: I do, Madam Chair. Leishman here.

CHAIRWOMAN WALLNER: Okay. Representative Leishman.

REP. LEISHMAN: Yes. I'm a little -- I'm sorry?

CHAIRWOMAN WALLNER: No, I just wondered if there were someone here from the Department.

MS. REED: Yes, one moment, Madam Chair. I know Chris Marino and John DeVivo on. If they could hit 5* I can open up their line. I think Mr. DeVivo's line is open.

JOHN DEVIVO, Mountain Manager, Division of Parks and Recreation, Department of Natural and Cultural Resources: Yes, good morning to the Committee. This is John DeVivo up here at Canon Mountain and Franconia Notch State Park.

CHAIRWOMAN WALLNER: Representative Leishman has a question.

REP. LEISHMAN: Thanks, Madam Chair. And John did get back to me this morning with an e-mail, but I still had a concern about the charge for the Professional Ski Patrol and the Professional Ski Instructors Association, plus the rescue services which is a doubling of what I believe they presently charge.

One of the concerns I have that in the past always the professional organizations have been given either free or

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reduced rates to travel to any ski area to promote the sport and the resort; but, also importantly, the rescue services in a time that we're really leaning on our professionals out there, most of these people are volunteers, to bring the rate from a present, I believe it's \$25 up to \$50, seems a little problematic for me.

MR. DEVIVO: Okay. And John DeVivo here at Cannon Mountain Ski Area and Franconia Notch State Park. While it's true that in the past most, if not all, ski areas had offered free or discounted rates, we had been offering discounted rates for quite some time. And if in the losses that we're trying to overcome and the capacity limits that we'll have, we're trying to, of course, bump our yield, realize as much revenue as possible, not at the expense of these folks but certainly in line with the direction that most of the industry is going. Some are charging full rates, others are charging discounted rates, and we would be at 50 on a retail rate of 89.

CHAIRWOMAN WALLNER: Further question.

SEN. ROSENWALD: I have a question, Madam Chair. A couple questions.

CHAIRWOMAN WALLNER: Yes, Senator Rosenwald.

SEN. ROSENWALD: Thank you. If we look at the table fee schedule, down in the second section which is the season pass, on the fifth line it says Teen/Senior Non-New Hampshire resident with a zero season pass. I think that is supposed to be for the resident senior. Maybe it's an extra line. But I would like to amend the motion to reflect the Department's practice of maintaining the New Hampshire senior resident mid-week season pass at \$0 with a \$39 processing fee and that's the current practice, and it's on the website.

MR. DEVIVO: Yes, Ma'am. Thank you for pointing that out. That zero line there, it may have been a placeholder in putting the document together. The actual line is the one directly below

that. And I did get your e-mail and we've gone back and forth a couple of times. The New Hampshire senior resident mid-week season pass at a \$39 processing fee still holds. We just don't have it on here as there was no question as to whether or not it would remain valid and it is on our website. We can certainly amend this if required by the Committee.

****** SEN. ROSENWALD: Thank you. Madam Chair, having been in the Legislature the last time we -- we considered increasing costs for New Hampshire resident seniors to use any of our State Parks. I do remember the fire storm and so I would like to amend the motion so that it is clear that the New Hampshire senior resident mid-week pass, the \$39 administrative fee is still being offered.

REP. LEISHMAN: I'll second the Senator's motion.

CHAIRWOMAN WALLNER: Okay. Representative -- Senator Rosenwald amends the item and Representative Leishman second. Do we have -- do we have that -- do we have that down so it amends it to be sure that the \$39 senior resident --

SEN. ROSENWALD: Mid-week.

CHAIRWOMAN WALLNER: -- mid-week is included in the item; is that correct?

SEN. ROSENWALD: Yes, so that's what we're approving.

CHAIRWOMAN WALLNER: And so we have a motion on that Amendment and a second. Let's -- any discussion of that Amendment?

SEN. KAHN: Madam Chair, this is Senator Kahn.

CHAIRWOMAN WALLNER: Yes, Senator Kahn.

SEN. KAHN: I'm in support of the Amendment. I just want to if we're going to be updating or that charge, I just wanted to

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question if there are other categories here that have administrative processing fees that aren't reflected in the table, would there be value to -- to -- first, to understand if there are, and then, second, to update the table for that?

CHAIRWOMAN WALLNER: Okay. I think that's a question that people from Department of Natural and Cultural Resources will have to answer. Are there other -- are there other fees that are not reflected on the chart that's before us?

MR. DEVIVO: Yeah, this is John DeVivo again here at Cannon Mountain and Franconia Notch State Park. The only two such items which -- which may be, I guess, considered Marquee items would be the children's under six season pass which requires a \$39 processing fee and the New Hampshire senior resident mid-week pass which requires a \$39 processing fee.

SEN. KAHN: So I guess I'd ask Senator Rosenwald if those two both fit in the same kind of category to provide that notice?

SEN. ROSENWALD: I would be happy if you wanted to amend my Amendment to also reflect the child New Hampshire resident pass with the administrative fee. I do see on the website that it requires the purchase of an adult pass, but I think that's clear on the website. I just think it's really important we're approving a fee schedule that clearly outlines that we are making our State Parks and Cannon available to the senior population basically still for free mid-week. I understand that there have been more applications than ever for this pass this coming ski season.

MR. DEVIVO: Yes, if I may clarify. The children's under six day ticket is free with a paid adult ticket so that there's a chaperone present, and it is a children's under six season pass available at \$39 processing fee which is not New Hampshire versus non-New Hampshire.

SEN. KAHN: And not reflected on the chart currently.

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MR. DEVIVO: Right. I mean, those two are essentially what we would consider to be Marquee items and there's no reason to consider them to be at-risk for elimination or anything like that which is why they're not on this chart. Again, we can certainly amend.

CHAIRWOMAN WALLNER: I think Representative Leishman seconded Senator Rosenwald's original motion and would you --

REP. LEISHMAN: Absolutely.

CHAIRWOMAN WALLNER: -- agree to the further Amendment?

REP. LEISHMAN: Absolutely.

CHAIRWOMAN WALLNER: Okay. So, Representative Rosenwald, would you just -- would you, for my sake, please make the amendment -- make the amendment one more time.

****** SEN. ROSENWALD: Yes. Thank you, Madam Chair. I move that we amend the item to reflect the Department's current practice which maintains the New Hampshire senior resident mid-week season pass at \$0 with a \$39 processing fee, and also includes the child New Hampshire resident pass at \$39 -- I guess that's \$0 with a \$39 processing fee with the purchase of an adult pass.

CHAIRWOMAN WALLNER: Thank you for making that -- clearly stating that. And, Representative Leishman, would you -- and you would agree to second that?

REP. LEISHMAN: Yes, Madam Chair.

CHAIRWOMAN WALLNER: The motion is made and seconded. Any further discussion?

MR. DEVIVO: Yes, Madam Chair. John DeVivo up north again. I, again, want to clarify. The child under six day ticket and

season pass option is not restrictive of New Hampshire versus non-New Hampshire.

CHAIRWOMAN WALLNER: Okay.

SEN. ROSENWALD: Well, I'm looking at the website and the website says child New Hampshire resident pass at five and under. So that does suggest that it's for New Hampshire children.

MR. DEVIVO: That is. There may be a separate category listed on the website because a lot of times folks ask to differentiate between New Hampshire and non-New Hampshire.

SEN. ROSENWALD: And the website doesn't say anything about children from other states for season pass.

MR. DEVIVO: Okay. I'll have to look into that one.

CHAIRWOMAN WALLNER: Okay. Look into that one. And I assume that you'll get back to us at a future meeting. And now I'll ask the Clerk to take the roll on the Amendment.

REP. WEYLER: Calling the roll on the Amendment as stated. Representative Ford.

REP. FORD: Yes.

REP. WEYLER: Representative Leishman.

REP. LEISHMAN: Yes.

REP. WEYLER: Representative Ober.

REP. OBER: Yes.

REP. WEYLER: Representative Weyler votes yes. Senator D'Allesandro.

SEN. D'ALLESANDRO: Senator D'Allesandro votes yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Senator Soucy votes yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Bradley.

(No response.)

REP. WEYLER: Senator Bradley.

(No response.)

REP. WEYLER: Are you there, Senator Bradley?

SEN. BRADLEY: Yeah, I was on mute. I'm sorry. Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the Amendment is 10 to zero.

***** {MOTION TO AMEND ADOPTED}**

****** SEN. ROSENWALD: Madam Chair, I would move the item.

CHAIRWOMAN WALLNER: And Senator Rosenwald moves the item.
And do we have a second?

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SEN. D'ALLESANDRO: Second.

REP. FORD: Sue Ford seconds.

CHAIRWOMAN WALLNER: And Sue Ford second. Further discussion of the item? Hearing no discussion of the item, I will ask Representative Weyler to call the roll.

REP. OBER: Madam Chairman, shouldn't that motion be she moves the item as amended?

CHAIRWOMAN WALLNER: Yes, thank you, Representative Ober. Moves the item as Amendment -- as amended. And I will ask the Clerk to call the roll.

REP. WEYLER: Representative Ford.

REP. FORD: Yes.

REP. WEYLER: Representative Leishman.

REP. LEISHMAN: Yes.

REP. WEYLER: Representative Ober.

REP. OBER: Yes.

REP. WEYLER: Representative Weyler votes yes.
Representative -- correction, Senator D'Allesandro.

SEN. D'ALLESANDRO: Senator D'Allesandro votes yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Senator Soucy votes yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

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REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote is on the motion as amended is ten yes, zero no.

CHAIRWOMAN WALLNER: Motion passes 10 to zero.

***** {MOTION ADOPTED}**

(10) Miscellaneous:

(11) Informational Materials:

CHAIRWOMAN WALLNER: And now we move on into the Miscellaneous/Informational Material. We don't have to have votes on any of these, but if there are items that people would like to have taken off the agenda, and we can get people to come up and answer some questions, let me know which ones you would like to -- which ones you would like to take off. Just shout them out. None of them?

REP. OBER: Do we have a Dashboard?

CHAIRWOMAN WALLNER: That's an excellent question. Is there someone from Health and Human Services here and that could update us on the Dashboard and whether or not we're going to see one soon?

MS. ROUNDS: Yeah, sure. This is Kerrin Rounds. So I will tell you that the table that shows potential needs of the Department and lapses there's no changes to that this month. With regards to all the statistics, I had some technical difficulties with the spreadsheet and making it readable, which has been an ongoing issue, and I think as the Commissioner mentioned last meeting before COVID happened, we were in process of changing our presentation to be more graphical and easier to read. And then with COVID and Lisa English being the lead to help us with that going over to GOFERR, we haven't been able to complete that task. So I'm hoping to be able to resolve the issues I was having the beginning of next week, and I'll send over an electronic copy to Mike Kane immediately, and then also make sure that we submit one for the November meeting.

CHAIRWOMAN WALLNER: Thank you, Kerrin. That would be -- that would be great. If you could get that out to all of the Committee next week, I think that would be helpful.

MS. ROUNDS: I will do that.

CHAIRWOMAN WALLNER: And have it ready for us for November.

MS. ROUNDS: Madam Chair, may I also ask a question?

CHAIRWOMAN WALLNER: Okay.

MS. ROUNDS: Do you anticipate having a December meeting as the Department is planning for Dashboards and transfers and that type of thing?

CHAIRWOMAN WALLNER: I haven't really discussed that with Mr. Kane yet, but I would imagine that we will probably need one.

MS. ROUNDS: Okay. Thank you.

CHAIRWOMAN WALLNER: Okay.

REP. WEYLER: Madam Chair.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Representative Weyler. While Miss Rounds is on listening. FIS 20-203, where the juggling the total number of people, that format was changed and it's difficult to understand what is being displaced by whom. So if you make that a little more -- restore it more to the former way it was reported, I would appreciate it. It would make it more clear to understand what positions are being swapped. Thank you.

MS. ROUNDS: Sure. I think that the item that you're referring to is actually a required reporting on a review of the unclassified positions. Representative Ober's pretty familiar with the requirements around that. I think you were thinking of an item that we used to file when we had unfunded positions and would swap them with the funded positions. And legislation, I think, two sessions ago changed that so we no longer had to report that. We just had to essentially certify to DAS that we were continuing to keep an unfunded list that would meet the lapse.

REP. WEYLER: Thank you.

MS. ROUNDS: You're welcome.

CHAIRWOMAN WALLNER: Thank you. Kerrin, I did want to say that in December it will be a new Fiscal Committee so they will decide whether they're having a December meeting, but we'll keep you posted. Okay.

MS. ROUNDS: I appreciate that. Thank you.

CHAIRWOMAN WALLNER: There is one item on here I would just like to make note of and that is Item 216, Office of Legislative Budget. This is an excellent peer review of our Legislative Budget Office, and I just want to bring it to everyone's attention and say thank you to the Office of Legislative Budget

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Assistant for the great work they've done. This is a national -- The National State Auditor's Association actually does this peer review and it was -- we did very well and thank you. Congratulations!

REP. WEYLER: Congratulations!

SEN. D'ALLESANDRO: I second that.

CHAIRWOMAN WALLNER: Isn't that great?

SEN. D'ALLESANDRO: W.D. Well done.

CHAIRWOMAN WALLNER: Are there any other items that people would like to have more information about?

SEN. BRADLEY: Yes, Madam Chair.

CHAIRWOMAN WALLNER: Okay. Which one?

SEN. BRADLEY: Item eight.

CHAIRWOMAN WALLNER: Is that Senator Kahn? I can just barely hear you.

SEN. BRADLEY: Bradley.

CHAIRWOMAN WALLNER: Oh, I'm sorry. I can barely hear you.

SEN. BRADLEY: Let's try again. I'd like to ask a question from Commissioner Edelblut on item eight, please. I had my hand up. I was told we'd be able to ask questions. There was not an opportunity to ask questions. I believe that Representative Hennessey had her hand up. I've never seen that kind of ending of debate before. So I'd like to ask Commissioner Edelblut questions.

CHAIRWOMAN WALLNER: Senator Bradley, could I suggest to you that since we've already passed eight that maybe you would like

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-- there isn't -- on 210 there is an item here which might actually be something that you would want to look at. It's information about charter schools. That might be where you might want to ask some information.

SEN. BRADLEY: All right. I'd be happy if Commissioner Edelblut would answer questions on Item 210.

CHAIRWOMAN WALLNER: Okay. Just seems like that's where we are at this point and there is an item that is relevant.

REP. OBER: Madam Chairman, before he asks his question, throughout this meeting one of the members is heavily breathing into the phone. It is very annoying kind of thing because you are struggling to hear the person speaking. So if everybody who's not speaking could just mute themselves with their own mute button, I think we could hear Senator Bradley better. I'm having trouble. I know you said you were having trouble, and I'd appreciate it. Thank you.

CHAIRWOMAN WALLNER: Thank you, Representative Ober. Yes, everybody should put their line on mute if they're not speaking, and I think that will really help us be able to hear. I was having a very difficult time hearing people. So I think Senator Bradley had some questions of the Department of Education.

FRANK EDELBLUT, Commissioner, Department of Education: This is Frank Edelblut, and I'm available on the phone.

SEN. BRADLEY: Yes.

CHAIRWOMAN WALLNER: Thank you.

SEN. BRADLEY: Commissioner, good morning. Thank you, Madam Chair. You know, the charter school discussion, my understanding, Commissioner Edelblut, is that public charter schools go through a rigorous certification process with the Department of Education. It's my understanding, and you can correct me if I'm wrong, that the 28 schools that -- charter

schools that were operating as of several months ago, and I know there are a couple of new ones now, they went through this process. They received similar grants from the Department of Education that was federal funding. What is new and different about the Charter School Grant, the \$10 million that's part of the \$46 million that has been tabled? Is there anything different?

MR. EDELBLUT: So thank you for that question, Senator. That is actually the same grant that has been in existence for well over a decade. Many of the schools, the public charter schools that are open today received funding through a similar grant under Governor -- at that time Governor Lynch's administration that we received those grants, that we were able to support those charter schools.

Also, between that grant and the receipt of the current \$46 million innovation grant for our public schools, we made application to the Federal Government to receive additional charter school grants similar to the one that we received and had full support from Governor Hassan on the last time that we filed that in 2016. And so this is not really any different from those -- those previous -- the previous grant we received, as well as the attempts to receive those grants. We've always had broad support for those grant opportunities.

SEN. BRADLEY: So if I can continue. There's several schools that you listed in your September 22nd submission. Northeast Woodlands Public Charter School in my district, they've obviously gone through the process. They are operating. They were expecting this funding which has not been available due to the Fiscal Committee action. Are you aware that in the case of Northeast Woodlands they have had to rely on short-term financing for these start-up costs by benefactors of the school, and that this can't last forever? This is a very short-term situation. So are you aware of the financial duress the school is under, Northeast Woodland, and how does that affect the other schools that you've listed in your submission?

MR. EDELBLUT: So I am aware that for Northeast Woodlands, as well as really across the educational system, you know, schools are under financial strain and that includes our public charter schools, as well as our traditional public schools, and that this funding would really go a long way to alleviating some of that financial stress, as well as creating opportunity for innovation. And, you know, really if COVID has shown us anything, it's the importance and really the urgency of innovating our instructional models to try and find ways to meet students where they are and in the circumstances that we find ourselves.

SEN. BRADLEY: Further question if I might, Commissioner. I know that some people have suggested to me that we try to use some of the CARES funding that is still available or some other source of funding than this 46 million Charter School Grant. My understanding is the CARES funding cannot be used, because it's not COVID related, and that there are no other sources that can be used for this funding; is that correct? This is the only option; is that correct?

MR. EDELBLUT: That's correct. This is the only funding source we have for these charter school expansion grants.

SEN. BRADLEY: And I know that there's some 1300 students on a waiting list at this point in time to get into charter schools. That's my understanding. I know that members of the Fiscal Committee in the past have expressed a concern that this grant, the 10 million -- \$46 million grant could only be used on new schools. But my understanding is that is not the case. All of the 28 schools that were existing prior to this fall would be eligible to use this funding to expand their operations; isn't that correct?

REP. EDELBLUT: So it is available for opening new schools, but also this includes a component which is referred to as replication grant. So those schools that are interested in replicating a successful model are able to do that. I think it's also important to consider that, and we have repeatedly

kind of made this known, is that this funding is also available to our traditional public schools to be able to open a Charter School to innovate and create, you know, creative instructional models that help meet students where they are. So, again, a \$46 million investment in education innovation in the state is what we're looking at.

SEN. BRADLEY: And, Commissioner, I know that, you know, I have a lot of white hair so my kids have kind of grown-up now. But, you know, I had three sons that graduated from Kingswood Regional High School. It was perfect for them, but my daughter needed something different. By not accepting these funds, and I know what it means as a parent to have choices and options for kids that need something different, aren't these funds targeted to most at-risk students, including those whose parents and families are of more limited means? And aren't -- isn't the grant targeted in that direction?

MR. EDELBLUT: That's exactly how our grant application and the award was designed to focus specifically on aiding at-risk students and educationally disadvantage students, whether in our rural areas or in our urban settings. So yes.

SEN. BRADLEY: And if we're not able to follow through on the grant, especially in light of, you know, the COVID situation within our schools, doesn't that just undermine, you know, the kind of opportunity that our students need, especially now?

MR. EDELBLUT: It does. It takes away opportunity. And as we -- I mean, you mentioned about your own children, but we all on this call, I believe, understand that children are all different and what we really need to do is to work hard as a state to create and find educational settings that will work for them and allow them to succeed and have a bright future.

****** SEN. BRADLEY: Okay, Commissioner. I guess in light of what, you know, Commissioner Edelblut has just said, Madam Chair, I would ask that we reconsider our motion to table on item eight. I would move that we take item eight off the table

and, hopefully, if that happens we will move to approve it.
Thank you.

REP. WEYLER: Second.

MS. REED: Ma'am, Representative Hennessey has her hand raised.

SEN. D'ALLESANDRO: She's not on there.

REP. WEYLER: Madam Chair.

MS. REED: Representative Wallner, your line may be muted.

REP. WEYLER: Can anyone hear me? Representative Weyler.

MS. REED: Yes, we can hear you, sir. I'm not sure if Representative Wallner is having trouble with her line or not.

CHAIRWOMAN WALLNER: Representative Kahn had a question, I believe.

SEN. KAHN: Madam Chair, question would be to Commissioner Edelblut. In that item that identifies a number of students. We currently fund our charter schools. There's an appropriation of \$44 million for the current Fiscal Year, and I believe that the budget was targeted at 4,000 students. So my question is whether the number is 4,062 or the number grows because of an intent to grow the enrollment in charter schools that it grows to 4500, 5,000 in the current year, how is that paid for? Do we pro rate the amount that was appropriated in the budget?

MR. EDELBLUT: So we basically pay an Adequacy amount per student according to the law.

SEN. KAHN: I think that didn't answer the question. If we --

MR. EDELBLUT: Maybe I didn't understand.

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SEN. KAHN: If we have an appropriation that -- I mean, you've indicated it's \$9,000 per student essentially for the 4,062 in the first payment. That if there are more students than what \$44,000 or \$9,000 a student would cover, what -- how does that get -- how do those extra students, how do the schools get reimbursed for higher enrollment?

MR. EDELBLUT: So we basically pay through the Education Trust Fund the Adequacy amount to the charter schools. I'm not sure what the \$9,000 number you're referring to is, but out of the Education Trust Fund we fund students to -- to go to the charter schools. You may be referring to, I'm -- I don't want to get ahead of myself, but payments relative to VLACS; is that what we're talking about?

SEN. KAHN: No, no.

MR. EDELBLUT: Okay. So we pay out of the Adequacy Trust Fund, the Education Trust Fund.

SEN. KAHN: We're not quite getting to what my question is. There's an allocation of \$44 million covering these 4,000 (Inaudible). If there were 5,000 students, there's not enough money to pay for the extra thousand students in the appropriation. Now you're saying it comes from the Education Trust Fund, but the Education Trust Fund is drawn down a lot in this Fiscal Year. So the point is we would wind up spending more than 44,000 -- \$44 million, right?

MR. EDELBLUT: So we don't know that. That would be speculation in terms of what that might look like. And as well, it's not a -- it's a net calculation because a student would move from one school to another school. So the Adequacy would be redirected to the other school.

SEN. KAHN: But there's a premium paid, at least the \$3700 per charter school student. This isn't -- Madam Chair, we're not getting to the point. I'll just make it. There is an added dollar amount that the State is, I believe, obligated to pay for

enrollments exceed the stated amount and that would minimally be \$3,700 per student, and I don't think that's considered in this and, personally, I'm going to vote against the consideration.

MR. EDELBLUT: So just to clarify. Now I think I understand a little bit of what you're saying. We do believe we have adequate funding in the Education Trust Fund to support all of our students. And as you know, the Department did an analysis associated with that cost that you're referring to, and it would actually result in savings over a ten-year period to taxpayers of between 100 and \$178 million.

SEN. KAHN: Those dollars are diverting the local payments to a State payment. Nonetheless, Madam Chair, I think I would like to call the question.

CHAIRWOMAN WALLNER: Thank you, Senator Kahn. I believe the motion that we're looking at is from Senator Bradley to reconsider Item (8) on our agenda. And --

REP. OBER: Madam Chairman.

REP. WEYLER: This is Representative Weyler.

CHAIRWOMAN WALLNER: I was having problems. I think that Representative Weyler seconded it; is that correct?

REP. WEYLER: That's correct. That's correct.

REP. OBER: Madam Chairman, I've had my hand up for quite a while. I patiently waited while Senator Kahn asked his questions. I think he could -- while he wants to move the question, could he not move the question after people with their hands up have asked theirs?

CHAIRWOMAN WALLNER: Yes. Thank you. Thank you, Representative Ober. I did not see -- I did not see that you had your hand up. I'm sorry. So, Representative Ober, I'm going to recognize you for a question before we take the vote.

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REP. OBER: Thank you, Madam Chairman. I appreciate it. This is a question that Representative Hennessey actually asked me and probably would have asked if she were a member of the Committee. But I thought it was interesting and she says for the schools facing declining enrollment and high facility costs, and I know there are some in my area, Manchester comes to mind, could these funds be used to set up a charter school within a traditional public school and pay rent to that school?

REP. EDELBLUT: Yes, Representative, that would be permissible.

REP. OBER: Could you also set up a public school -- a charter school in a public school for kids whose needs are not being met in their district who have special needs? How far does this grant let us go to use public facilities?

MR. EDELBLUT: Yes, it would absolutely allow that. And, in fact, one of the proposals or the conversations we had over the past year was with a -- one of our traditional public schools that was interested in creating a Charter School for special need students specifically.

REP. OBER: Thank you. And thank you, Madam Chairman.

CHAIRWOMAN WALLNER: Thank you, Representative Ober.

SEN. BRADLEY: Madam Chair, I have my hand up again, please. Thank you.

MS. REED: Representative Hennessey had her hand up and then Senator Bradley as well.

CHAIRWOMAN WALLNER: I'm going to rule that -- Representative Hennessey is a substitute and I don't believe there's anyone out at this point. So I will just move on to Senator Bradley. But we have had Senator Kahn has called the question so on reconsideration.

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SEN. BRADLEY: Thank you, Madam Chair.

CHAIRWOMAN WALLNER: One more question and then we'll move on to your vote.

SEN. BRADLEY: Okay. Thank you, Madam Chair. I just wanted to clarify with Commissioner Edelblut that even though for this short period of time until the next budget will be written, you believe that you have ample resources in the Education Trust Fund to pay the additional stipend that Charter Schools would need in the interim. And that that is not a reason -- this temporary funding for the stipend is not a reason, because you have the resources, it's not a reason to not move forward at this point; is that correct?

MR. EDELBLUT: That is correct.

SEN. BRADLEY: Thank you, Madam Chair.

CHAIRWOMAN WALLNER: Thank you. Thank you. And I will -- Senator Bradley has moved that we reconsider Item (8) and Representative Weyler had second that, and I will ask Representative Weyler to call the roll.

REP. WEYLER: Representative Ford.

(No response.)

REP. WEYLER: Representative Ford on reconsideration. Representative Ford, I believe you're still muted.

REP. FORD: Did you hear that?

REP. WEYLER: I did not.

REP. FORD: No. Sorry, it was a muting problem.

REP. WEYLER: Representative Leishman.

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REP. LEISHMAN: No.

REP. WEYLER: Representative Ober.

REP. OBER: Yes.

REP. WEYLER: Representative Weyler votes yes. Senator D'Allesandro.

(No response.)

REP. WEYLER: Senator D'Allesandro. You're muted. Senator D'Allesandro, do you hear me?

(No response.)

REP. WEYLER: Senator D'Allesandro, I don't hear you.

SEN. D'ALLESANDRO: Senator D'Allesandro votes no.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Senator Soucy votes no.

REP. WEYLER: Senator Kahn.

SEN. KAHN: No.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: No.

REP. WEYLER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: No.

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REP. WEYLER: Madam Chair, the vote is again strictly partisan; three Republican yes, seven Democrats no.

CHAIRWOMAN WALLNER: The motion fails three to seven.

*** {MOTION FAILS.}

(12) Date of Next Meeting and Adjournment

CHAIRWOMAN WALLNER: Let's move on. Are there any other items to come before us? Yes, we do. We have one further item, and that is the meeting of November 20th at 10:00 a.m. will be our next meeting. And -- hum -- I hope that works for everyone. And seeing no other items, I will adjourn the meeting.

REP. WEYLER: Say the date again?

CHAIRWOMAN WALLNER: November 20th.

REP. WEYLER: Okay.

CHAIRWOMAN WALLNER: At 10 a.m. It is a Friday.

REP. WEYLER: Yep.

CHAIRWOMAN WALLNER: And meeting's adjourned. Thank you.

(The meeting adjourned at 11:34 a.m.)

C E R T I F I C A T I O N

I, Cecelia A. Trask, a Licensed Court Reporter-Shorthand, do hereby certify that the foregoing transcript is a true and accurate transcription from my shorthand notes on said date and the VAST Conference recording, to the best of my ability, skill, knowledge and judgment.

Cecelia A. Trask, LSR, RMR, CRR
State of New Hampshire-LSR #47

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