

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE  
MINUTES

March 12, 2021

The Legislative Performance Audit and Oversight Committee met on Wednesday, March 12, 2021 at 3:00 PM via Zoom Webinar (Remote).

Members in attendance were as follows:

Rep. Lynne Ober, Chair  
Rep. Ken Weyler  
Rep. Keith Erf  
Rep. Mary Jane Wallner  
Rep. Lucy Weber  
Sen. John Reagan  
Sen. Bob Giuda  
Sen. Erin Hennessey  
Sen. Lou D'Allesandro  
Sen. Jay Kahn

The meeting convened at 3:00 PM.

CHAIRMAN'S SCRIPT READ:

Representative Ober read the Chairman's Script at the start of the online meeting.

*"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 work session pertaining to Performance Audit Board matters."*

*"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 state 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 Calendar 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 with accessing the meeting should e-mail [LBA Fiscal@leg.state.nh.us](mailto: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 and assisting us. Please note that all votes taken will be by roll call only, and we need to start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there's anyone in the room with you during the meeting which is required under the Right-To-Know-Law."*

ATTENDANCE ROLL CALL:

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

Representative Ober - Present/at home in Hudson, alone, husband is in the house

Representative Erf - Present/at his home, alone

Senator Hennessey - Present/at home in Littleton, her children are in and out of the house/room

Senator Kahn - Present/at home in Keene, alone

Representative Weber - Present/at home in Walpole, alone

Representative Wallner - Present/at home in Concord, and her husband is in the other room

Senator Reagan - Present/in his office, alone

Senator D'Allesandro - Present/at home in Manchester, wife is in the house

Senator Giuda - Present/at home in Warren, alone

Representative Weyler - Present/at home in Kingston, others are in the house

ROLL CALL VOTE ON CHAIR AND VICE CHAIR:

On a motion by Senator Giuda, seconded by Representative Weyler, that Representative Ober be elected Chair.

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

Representative Weyler - Yes

Representative Erf - Yes

Representative Ober - Yes

Representative Wallner - Yes

Representative Weber - Yes

Senator Reagan - Yes

Senator Hennessey - Yes

Senator Giuda - Yes

Senator Kahn - Yes

Senator D'Allesandro - Yes

(10-Yes; 0-No)

MOTION ADOPTED.

Senator D'Allesandro nominated Senator Reagan for Vice-Chair, seconded by Representative Weyler.

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

Representative Weyler - Yes  
Representative Erf - Yes  
Representative Ober - Yes  
Representative Wallner - Yes  
Representative Weber - Yes  
Senator Reagan - Yes  
Senator Hennessey - Yes  
Senator Giuda - Yes  
Senator Kahn - Yes  
Senator D'Allesandro - Yes  
(10-Yes; 0-No)

MOTION ADOPTED.

ROLL CALL VOTE ON ACCEPTANCE OF MINUTES:

On a motion by Senator Kahn, seconded by Senator Giuda to approve the minutes, of the September 11, 2019 meeting, as corrected by the addition of Representative Weber being in attendance.

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

Representative Weyler - Abstain  
Representative Erf - Abstain  
Representative Ober - Yes  
Representative Wallner - Yes  
Representative Weber - Yes  
Senator Reagan - Yes  
Senator Hennessey - Abstain  
Senator Giuda - Yes  
Senator Kahn - Yes  
Senator D'Allesandro - Abstain  
(6-Yes; 0-No; 4-Abstain)

MOTION ADOPTED.

RECENT AND UPCOMING FISCAL AUDIT PRESENTATIONS:

Stephen Smith, Audit Division Director, informed the Committee members that the Sununu Youth Services Center audit was going to be presented to the Fiscal Committee next Friday, March 19<sup>th</sup>.

Jay Henry, Audit Supervisor, informed the Committee that the Vocational Rehabilitation audit will be heard by the Executive

Departments and Administration on April 9<sup>th</sup>, and the Liquor Commission, Division of Enforcement and Licensing will be heard by the ED&A and Commerce and Consumer Affairs on March 22<sup>nd</sup>.

ROLL CALL VOTE ON TERMINATING AUDIT TOPICS:

Mr. Smith briefed the Committee and responded to questions regarding his recommendation to terminate audit topics.

- It is recommended that the Department of Administrative Services, Office of Cost Containment performance audit be canceled because a study committee received most of the answers being sought by the audit.
- The Audit Division has concluded that there are parts of the Office of Professional Licensure and Certification (OPLC) audit that are being examined. And the Board of Dental Examiners audit will include OPLC because it supports the Board.

On a motion by Senator Giuda, seconded by Senator D'Allesandro, the audit topics for the Department of Administrative Services, Office of Cost Containment, and the Office of Professional Licensure and Certification be terminated.

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

Representative Weyler - Yes  
Representative Erf - Yes  
Representative Ober - Yes  
Representative Wallner - Yes  
Representative Weber - Yes  
Senator Reagan - Yes  
Senator Hennessey - Yes  
Senator Giuda - Yes  
Senator Kahn - Yes  
Senator D'Allesandro - Yes  
(10-Yes; 0-No)

MOTION ADOPTED.

ROLL CALL VOTE ON DRAFT SCOPE STATEMENT:

Steven Grady, Senior Audit Manager and in-charge auditor for the Board of Dental Examiners Performance Audit, briefed the Committee and responded to questions.

On a motion by Senator D'Allesandro, seconded by Representative Weber, that the draft scope statement for the Board of Dental Examiners performance audit be accepted.

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

Representative Weyler - Yes  
Representative Erf - Yes  
Representative Ober - Yes  
Representative Wallner - Yes  
Representative Weber - Yes  
Senator Reagan - Yes  
Senator Hennessey - Yes  
Senator Giuda - Yes  
Senator Kahn - Yes  
Senator D'Allesandro - Yes  
(10-Yes; 0-No)

MOTION ADOPTED.

IDENTIFY AND ROLL CALL VOTE ON NEW AUDIT TOPICS:

The Committee discussed potential ideas for future audits, and chose five performance audit topics: 1) CFI Community-Based Care Program; 2) Elderly and Adult Services; 3) Workforce Development for Mental Health; 4) NH Retirement System; and 5) Effectiveness of tax exemption program for pollution control facilities under RSA 72:12-a.

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

Representative Weyler - Yes  
Representative Erf - Yes  
Representative Ober - Yes  
Representative Wallner - Yes  
Representative Weber - Yes  
Senator Reagan - Yes  
Senator Hennessey - Yes  
Senator Giuda - Yes  
Senator Kahn - Yes  
Senator D'Allesandro - Yes  
(10-Yes; 0-No)

MOTION ADOPTED.

OTHER BUSINESS:

The Committee discussed whether they would prefer the LBA provide a mini scope of each potential audit topic or send all five topics to the Fiscal Committee for approval. It was agreed by the Committee members that their preference was to review a mini scope of each audit topic at the next meeting.

DATE OF NEXT MEETING AND ADJOURNMENT:

Next meeting will be at the call of the Chair.

On a motion by Senator D'Allesandro, seconded by Senator Giuda, that the Committee adjourn, whereupon the meeting adjourned by consensus at 3:58 PM.



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Rep. Lynne Ober, Chair