

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES  
September 18, 2020

The Fiscal Committee of the General Court met on Friday, September 18, 2020 at 10:00 a.m. via audio conference.

Members in attendance were as follows:

Representative Mary Jane Wallner, Chairman  
Representative Ken Weyler  
Representative Susan Ford  
Representative Patricia Lovejoy (Alternate)  
Representative Erin Hennessey (Alternate)  
Representative David Huot (Alternate)  
Senator Lou D'Allesandro  
Senate President Donna Soucy  
Senator Jay Kahn  
Senator Cindy Rosenwald  
Senator Chuck Morse

The audio conference convened at 10:05 a.m., with the assistance of Fallon Reed at the Department of Safety and Michael Kane, Legislative Budget Assistant.

OFFICIAL AUDIO CONFERENCE MEETING PROCEDURES:

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

*“Due to the state of emergency declared by the Governor as a result of the Covid-19 Pandemic, and in accordance with the Governor's Emergency Order #12, pursuant to Executive Order 2020-04, as extended pursuant to Executive Order 2020-09, a public body is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to this meeting which was authorized pursuant to the Governor's Emergency Order.”*

*“However, in accordance with the Emergency Order, I am confirming that we are; 1) providing the public access to the meeting by telephone, with additional access possible 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 platform and the public has access to contemporaneously listen and, if necessary, participate in this meeting by dialing the following number: 1-800-356-8278 and the six digit conference code 125563 followed by the pound (#) sign.”*

*“2) By providing public notice of the necessary information of 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 at <http://www.gencourt.state.nh.us/LBA/budget/fiscalcommittee.aspx>.”*

*“3) Providing the 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](mailto:NHeoc@dos.nh.gov).”*

*“4) Adjourning the meeting if the public is unable to access the meeting and in the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.”*

#### ATTENDANCE ROLL CALL:

The Chair announced the meeting would start by taking the roll of attendance and that Members state their presence, and state whether there was anyone in the room with them during the meeting as required under the Right-To-Know Law.

Representative Weyler, as clerk, called the Roll of voting members.

Representative Wallner – Present/at home in Concord, alone

Representative Ford – Present/at home in Easton, alone

Representative Weyler – Present/at home in Kingston, alone in room, however others are in the house

Representative Hennessey (Alternate for Representative Ober) – Present/at home in Littleton, alone in room

Representative Lovejoy (Alternate for Representative Leishman) – Present/at camp in Peru, Maine, and her husband and son are in the camp

Senator D’Allesandro – Present/at home in Manchester, alone in study

Senate President Soucy – Present/at home in Manchester, alone

Senator Rosenwald – Present/at her second home in New York State, and her husband was in the room with her

Senator Kahn – Present/in Keene, alone in a room, however others are in the house

Senator Morse – Present/at his office in Atkinson, alone

#### ACCEPTANCE OF MINUTES:

On a motion by Senator Soucy, seconded by Representative Ford, that the minutes of the July 10, 2020 meeting be accepted as written.

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

Representative Ford – Yes

Representative Weyler – Yes

Representative Hennessey (Alternate) – Yes  
Representative Lovejoy (Alternate) – Yes  
Senator D’Allesandro – Yes  
Senate President Soucy – Yes  
Senator Kahn – Yes  
Senator Rosenwald – Yes  
Senator Morse – Yes  
Representative Wallner – Yes (10-Yes; 0-No)  
MOTION ADOPTED.

OLD BUSINESS:

At the request of Senator Morse, second by Representative Weyler, that the Committee remove from the table FIS 20-029 Department of Education – seeking authorization through June 30, 2021 to; 1) accept and expend \$10,114,548 in federal funds and 2) establish two (2) full time temporary positions consisting of; a Program Specialist III (LG 23) and an Administrator I (LG 27), tabled 2/14/2020.

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

Representative Ford – No  
Representative Weyler – Yes  
Representative Hennessey (Alternate) – Yes  
Representative Lovejoy (Alternate) – No  
Senator D’Allesandro – No  
Senate President Soucy – No  
Senator Kahn – No  
Senator Rosenwald – No  
Senator Morse – Yes  
Representative Wallner – No (3-Yes; 7-No)  
MOTION FAILED.

AUDITS:

The Chair scheduled a meeting for Friday, October 9, 2020 at 10:00 a.m. for presentation of the following audit reports accepted and released by the Committee on May 8, 2020; 1) State of New Hampshire, Single Audit Of Federal Financial Assistance Programs For The Year Ended June 30, 2019, 2) State of New Hampshire, Management Letter, Fiscal Year Ended June 30, 2019, 3) State of New Hampshire, Liquor Commission, Management Letter, For The Fiscal Year Ended June 30, 2019, and the following report scheduled for Committee action on the September 18, 2020 agenda, 4) State of New Hampshire, Department of Safety, Division of State Police, Financial Audit Report, For The Nine Months Ended March 31, 2019.

RSA 9:16-a, 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 Kahn, FIS 20-172 Department of Business and Economic Affairs was removed from the Consent Calendar.

FIS 20-172 Department of Business and Economic Affairs (BEA) – Jackie Heuser, Director, Office of Workforce Opportunity, Department of Business and Economic Affairs, responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Kahn, that the Committee approve the request of the Department of Business and Economic Affairs (BEA), jointly with the New Hampshire Department of Employment Security (NHES) through June 30, 2021 for; 1) BEA to transfer \$4,523,000 in federal grant funds between expenditure classes and 3) contingent upon approval of Request #1, NHES to accept and expend a transfer of federal funds in the amount of \$4,523,000 from BEA.

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

Representative Ford – Yes  
Representative Weyler – Yes  
Representative Hennessey (Alternate) – Yes  
Representative Lovejoy (Alternate) – Yes  
Senator D’Allesandro – Yes  
Senate President Soucy – Yes  
Senator Kahn – Yes  
Senator Rosenwald – Yes  
Senator Morse – Yes  
Representative Wallner – Yes (10-Yes; 0-No)  
MOTION ADOPTED.

RSA 9:16-c, I, TRANSFER OF FEDERAL GRANT FUNDS AND RSA 124:15 POSITIONS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator D’Allesandro, seconded by Representative Hennessey, that the Committee approve the requests under this section as submitted. [FIS 20-160 Department of Safety – authorization to reallocate federal funds in the amount of \$191,159 through June 30, 2021, FIS 20-161 Department of Agriculture, Markets & Food – authorization to transfer \$53,091 in federal funds through June 30, 2021, FIS 20-162 Department of Military Affairs and Veterans Services – authorization to transfer \$490,000 in federal funds through June 30, 2021, and FIS 20-169 Department of Justice – authorization to reallocate \$315,843 in federal funds through June 30, 2021]

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

Representative Ford – Yes  
Representative Weyler – Yes  
Representative Hennessey (Alternate) – Yes  
Representative Lovejoy (Alternate) – Yes  
Senator D’Allesandro – Yes  
Senate President Soucy – Yes  
Senator Kahn – Yes  
Senator Rosenwald – Yes  
Senator Morse – Yes  
Representative Wallner – 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

On a motion by Senator D’Allesandro, seconded by Representative Ford, that the Committee approve the requests under this section as submitted. [FIS 20-146 Department of Agriculture, Markets & Food – authorization to budget and expend \$158,131 in other funds through June 30, 2021, FIS 20-147 Department of Administrative Services – authorization to retroactively accept and expend an amount not to exceed \$900,000 in other funds for the period of July 1, 2020 through June 30, 2021, FIS 20-150 Department of Health and Human Services – authorization to budget and expend additional federal revenue in the amount of \$300,300 through June 30, 2021, FIS 20-151 Department of Health and Human Services – authorization through June 30, 2021 to; 1) budget and expend additional Medicaid Enhancement Tax revenue in the amount of \$9,000,939 (other funds), and 2) contingent upon approval of Request #1, accept and expend additional federal funds in the amount of \$9,009,940, FIS 20-158 Department of Safety – authorization to accept and expend \$475,437 in federal/other funds through June 30, 2021, FIS 20-163 Department of Transportation – authorization to accept and expend \$485,194 in federal funds through June 30, 2021, FIS 20-166 Department of Natural and Cultural Resources – authorization to budget and expend \$1,765,823 in other funds through June 30, 2021, FIS 20-177 Department of Health and Human Services – authorization to accept and expend \$259,222 in federal funds through June 30, 2021, FIS 20-178 Department of Health and Human Services – authorization to accept and expend \$276,638 in federal funds through June 30, 2021, FIS 20-184 Department of Health and Human Services – authorization through June 30, 2021 to; 1) accept and expend \$2,501,156 in federal funds and 2) contingent upon approval of Request #1, accept and expend \$2,498,657 in Intra-Agency funds, and FIS 20-185 Department of Health and Human Services – authorization to accept and expend \$500,000 in federal funds through June 30, 2021]

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

Representative Ford – Yes  
Representative Weyler – Yes  
Representative Hennessey (Alternate) – Yes

Representative Lovejoy (Alternate) – Yes  
Senator D’Allesandro – Yes  
Senate President Soucy – Yes  
Senator Kahn – Yes  
Senator Rosenwald – Yes  
Senator Morse – Yes  
Representative Wallner – Yes (10-Yes; 0-No)  
MOTION ADOPTED.

CHAPTER 224:217, III, LAWS OF 2011 AS AMENDED BY 2017, 156:130 JOINT COMMITTEE ON LEGISLATIVE FACILITIES; FUNDS:

FIS 20-180 Office of Legislative Budget Assistant – On a motion by Senator D’Allesandro, seconded by Representative Ford, that the Committee approve the request of the Office of Legislative Budget Assistant to transfer \$600,000 from the Office of Legislative Budget Assistant’s subaccount of the Legislative Special Account to General Court Joint Expenses, Class 20 Current Expenses.

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

Representative Ford – Yes  
Representative Weyler – Yes  
Representative Hennessey (Alternate) – Yes  
Representative Lovejoy (Alternate) – Yes  
Senator D’Allesandro – Yes  
Senate President Soucy – Yes  
Senator Kahn – Yes  
Senator Rosenwald – Yes  
Senator Morse – No  
Representative Wallner – Yes (9-Yes; 1-No)  
MOTION ADOPTED.

INFORMATIONAL MATERIALS:

Jared Chicoine, Director, Office of Strategic Initiatives, responded to questions of Senator Kahn regarding FIS 20-171 Office of Strategic Initiatives – 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 and 2020-16, Governor Sununu has authorized the Office of Strategic Initiatives (OSI) to; 1) accept and expend \$13,907,239 in federal funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act for the purpose of administering the Governor’s Emergency Relief Funds to improve broadband infrastructure, effective from the date of the Governor’s approval through December 31, 2020 and 2) authorization to enter into grant agreements with various vendors, for a total amount not to exceed \$13,907,239 to complete

their scope of services required for improvements to New Hampshire's broadband and internet infrastructure, effective upon your approval through December 30, 2020.

At Senator Rosenwald's request, Lori Shibinette, Commissioner, Kerrin Rounds, Chief Financial Officer, and Christine Santaniello, Director, Division of Economic and Housing Stability, Department of Health and Human Services, responded to questions of the Committee regarding FIS 20-181 Department of Health and Human Services – Operating Statistics Dashboard SFY21 report through July 31, 2020.

Senator Rosenwald requested clarification from the Department on the drop in caseload numbers for the Early Supports and Services, and also requested the lapse amount total for the Bureau of Elderly and Adult Services.

Kerrin Rounds, Chief Financial Officer, and Henry Lipman, Director, Bureau of Medicaid and Business Policy, Department of Health and Human Services, responded to Senator Rosenwald's questions regarding FIS 20-183 Department of Health and Human Services – Chapter 346:348, Laws of 2019 – Quarterly Status Report on Medicaid Rate Increases for the quarter ending June 30, 2020.

The informational items were accepted and placed on file.

DATE OF NEXT MEETING AND ADJOURNMENT:

The Chair scheduled, in addition to the Audit Presentations on Friday, October 9, 2020 at 10:00 a.m., the next regular meeting of the Fiscal Committee for Friday, October 16, 2020 at 10:00 a.m. (Whereupon the meeting adjourned at 11:08 a.m.)

/s/ Ken Weyler

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Representative Ken Weyler, Clerk