

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

October 16, 2020

The Fiscal Committee of the General Court met on Friday, October 16, 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 Peter Leishman  
Representative Lynne Ober  
Representative Erin Hennessey (Alternate)  
Senator Lou D'Allesandro  
Senate President Donna Soucy  
Senator Jay Kahn  
Senator Cindy Rosenwald  
Senator Jeb Bradley (Alternate)

The audio conference convened at 10:03 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, 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; 1) providing 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 this 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) 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.”*

*“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.”*

*“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, her husband was in the house

Representative Ford – Present/at home in Easton, alone

Representative Leishman – Present/at home in Peterborough, alone

Representative Ober – Present/at home, alone until her husband returns

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

Senator D’Allesandro – Present/at home in Manchester, his wife was in the house

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

Senator Kahn – Present/in Keene, his wife was elsewhere in the house

Senator Rosenwald – Present/at home in Nashua, her husband was elsewhere in the house

Senator Bradley (Alternate for Senator Morse) – Present/at home in Wolfeboro, alone in the room, however his wife was in the house

Representative Hennessey (Alternate) – Present/at home in Littleton with her children

ACCEPTANCE OF MINUTES:

On a motion by Senator D’Allesandro, seconded by Representative Ford, that the minutes of the September 18, 2020 meeting be accepted as written.

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

Representative Ford – Yes

Representative Leishman – Abstained

Representative Ober – Abstained

Representative Weyler – Yes

Representative Hennessey (Alternate) – Yes

Senator D’Allesandro – Yes

Senate President Soucy – Yes

Senator Kahn – Yes

Senator Rosenwald – Yes  
Senator Bradley (Alternate) – Abstained  
Representative Wallner – Yes (7-Yes; 3-Abstained)  
MOTION ADOPTED.

OLD BUSINESS:

The Department of Education submitted FIS 20-029 Additional Information #3 Department of Education – letter of intent, dated October 2, 2020, to withdraw request 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. ITEM WITHDRAWN - No further action required.

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 Rosenwald, FIS 20-207 Department of Health and Human Services was removed from the Consent Calendar.

On a motion by Senator D’Allesandro, seconded by Senator Rosenwald, that the Committee approve the remaining requests under this section as submitted. [FIS 20-196 Department of Business and Economic Affairs – authorization to transfer \$23,350 in turnpike funds between classes and create new expenditure classes for class 040 and class 042 through June 30, 2021, FIS 20-199 Department of Health and Human Services – authorization to transfer \$200,000 in general funds through June 30, 2021, and FIS 20-212 Department of Safety – authorization to establish a class 038 and transfer \$28,150 in federal funds through June 30, 2021]

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

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

FIS 20-207 Department of Health and Human Services – Kerrin Rounds, Chief Financial Officer, and Joseph Caristi, Chief Financial Officer, New Hampshire Hospital, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator Rosenwald, seconded by Senator Soucy, that the Committee approve the request of the Department of Health and Human Services to transfer \$753,000 in general funds and \$957,000 in other funds between various class lines through June 30, 2021.

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

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

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

On a motion by Representative Leishman, seconded by Senator Kahn, that the Committee approve the item under this section as submitted. [FIS 20-213 Department of Safety – authorization to reallocate \$434,349 in federal grant funds through June 30, 2021]

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

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

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:

CONSENT CALENDAR

At the request of Senator Kahn, FIS 20-206 Department of Health and Human Services was removed from the Consent Calendar.

FIS 20-206 Department of Health and Human Services – Kerrin Rounds, Chief Financial Officer, and Katja Fox, Director, Division for Behavioral Health, Department of Health and Human Services responded to the Committee questions.

The Committee requested the link for the New Hampshire State Opioid Response RFP once it is released. The Committee also requested the current Doorway hours in Nashua, the number of referrals per month for the last three months, and if and when the current Doorway hours in Nashua will be expanded.

On a motion by Senator D’Allesandro, seconded by Representative Ford, that the Committee approve the request of the Department of Health and Human Services through June 30, 2021 to; 1) reallocate \$163,338 in federal funds, and 2) contingent upon approval of Request #1, accept and expend \$29,442,795 in federal funds.

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

- Representative Ford – Yes
  - Representative Leishman – Yes
  - Representative Ober – Yes
  - Representative Weyler – Yes
  - Senator D’Allesandro – Yes
  - Senate President Soucy – Yes
  - Senator Kahn – Yes
  - Senator Rosenwald – Yes
  - Senator Bradley (Alternate) – Yes
  - Representative Wallner – Yes
- MOTION ADOPTED.

(10-Yes; 0-No)

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 20-197 Department of Business and Economic Affairs was removed from the Consent Calendar.

On a motion by Senator D’Allesandro, seconded by Representative Ford, that the Committee approve the remaining requests under this section as submitted. [FIS 20-200 Department of Health and Human Services – authorization to accept and expend \$568,674 in federal funds through June 30, 2021, FIS 20-201 Department of Health and Human Services – authorization to accept and expend \$494,160 in federal funds through June 30, 2021, and FIS 20-214 Department of Safety – authorization to budget and expend \$107,295 in other funds through June 30, 2021]

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

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

FIS 20-197 Department of Business and Economic Affairs – Tina Kasim, Program Manager, Office of International Commerce, Department of Business and Economic Affairs, responded to questions of the Committee.

On a motion by Senator Kahn, seconded by Representative Ober, that the Committee approve the request of the Department of Business and Economic Affairs to accept and expend \$225,427 in federal funds through June 30, 2021.

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

Representative Ford – Yes  
Representative Leishman – Yes  
Representative Ober – Yes  
Representative Weyler – Yes  
Senator D’Allesandro – Yes  
Senate President Soucy – Yes  
Senator Kahn – Yes  
Senator Rosenwald – Yes  
Senator Bradley (Alternate) – 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 AND RSA 124:15 POSITIONS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator D’Allesandro, seconded by Senator Rosenwald, that the Committee table request FIS 20-209 Department of Education – for authorization through June 30, 2021 to; 1) accept and expend \$10,114,548 in federal grant funds, and 2) establish two (2) full time temporary positions consisting of; a Program Specialist III (LG 23) and an Administrator I (LG 27).

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

Representative Ford – Yes  
Representative Leishman – Yes  
Representative Ober – No  
Representative Weyler – No  
Senator D’Allesandro – Yes  
Senate President Soucy – Yes  
Senator Kahn – Yes  
Senator Rosenwald – Yes  
Senator Bradley (Alternate) – No  
Representative Wallner – Yes (7-Yes; 3-No)  
MOTION ADOPTED.

RSA 216-A:3-g, FEES FOR PARK SYSTEM:

FIS 20-208 Department of Natural and Cultural Resources – John DeVivo, Mountain Manager, Division of Parks and Recreation, Department of Natural and Cultural Resources, responded to questions of the Committee. Also present was Christopher Marino, Business Administrator, Department of Natural and Cultural Resources.

On a motion by Senator Rosenwald, seconded by Representative Leishman, that the Committee **amend** the request of the Department of Natural and Cultural Resources for approval of; 1) the fee package for the primary winter 2020/21 and summer 2021 products at Cannon Mountain Aerial Tramway and Ski Area (FNSP/Cannon), in addition to Discovery Pass and Flume Gorge entry for summer 2021, and 2) request approval of the 2020/21 Cannon Mountain Winter Special Use Policy **to reflect the Department’s current practice which maintains both the New Hampshire senior resident mid-week season pass and the child New Hampshire resident season pass at \$0 with a \$39 processing fee.**

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

Representative Ford – Yes  
Representative Leishman – Yes

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

On a motion by Senator Rosenwald, seconded by Representative Ford, that the Committee approve as amended the request of the Department of Natural and Cultural Resources for approval of; 1) the fee package for the primary winter 2020/21 and summer 2021 products at Cannon Mountain Aerial Tramway and Ski Area (FNSP/Cannon), in addition to Discovery Pass and Flume Gorge entry for summer 2021, and 2) request approval of the 2020/21 Cannon Mountain Winter Special Use Policy to reflect the Department’s current practice which maintains both the New Hampshire senior resident mid-week season pass and the child New Hampshire resident season pass at \$0 with a \$39 processing fee.

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

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

INFORMATIONAL MATERIALS:

The Committee inquired about the Dashboard and Kerrin Rounds, Chief Financial Officer, Department of Health and Human Services, responded to questions and informed the members there would be a Dashboard for the November meeting and also responded to questions regarding FIS 20-203 Department of Health and Human Services – RSA 94:1-f, VI – Biannual Progress Report on the current status of review of the Department's unclassified positions, dated September 25, 2020.

The Committee congratulated the Office of Legislative Budget Assistant for passing their peer review as outlined under FIS 20-216 Office of Legislative Budget Assistant – External Peer

Review For the Period April 1, 2019 through August 31, 2020 as performed by the National State Auditor's Association.

At the request of Senator Bradley, Frank Edelblut, Commissioner, Department of Education responded to questions of the Committee regarding FIS 20-210 Department of Education – RSA 194-B:11, I(e) – FY 2021 Report on the calculated and distributed chartered public school tuition membership payments for 30% of the per pupil amount multiplied by the number of eligible pupils present on the first day of school of the current school year, dated September 23, 2020.

The informational items were accepted and placed on file.

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE AND RSA 124:15 POSITIONS AUTHORIZED: (continued)  
CONSENT CALENDAR

On a motion by Senator Bradley, seconded by Representative Weyler, that the Committee reconsider tabled request FIS 20-209 Department of Education – authorization through June 30, 2021 to; 1) accept and expend \$10,114,548 in federal grant funds, and 2) establish two (2) full time temporary positions consisting of; a Program Specialist III (LG 23) and an Administrator I (LG 27).

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

Representative Ford – No  
Representative Leishman – No  
Representative Ober – Yes  
Representative Weyler – Yes  
Senator D'Allesandro – No  
Senate President Soucy – No  
Senator Kahn – No  
Senator Rosenwald – No  
Senator Bradley (Alternate) – Yes  
Representative Wallner – No (3-Yes; 7-No)  
MOTION FAILED.

DATE OF NEXT MEETING AND ADJOURNMENT:

The Chair scheduled the next regular meeting of the Fiscal Committee for Friday, November 20, 2020 at 10:00 a.m. (Whereupon the meeting adjourned at 11:34 a.m.)

/s/ Ken Weyler

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Representative Ken Weyler, Clerk