

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

February 19, 2021

The Fiscal Committee of the General Court met on Friday, February 19, 2021 at 10:00 a.m. via Zoom Webinar.

Members in attendance were as follows:

Representative Ken Weyler, Chairman
Representative Lynne Ober
Representative Tracy Emerick
Representative Peter Leishman
Representative Karen Umberger
Representative Mary Jane Wallner (Alternate)
Representative Keith Erf (Alternate)
Representative Jess Edwards (Alternate)
Senator Gary Daniels
Senate President Chuck Morse
Senator Bob Giuda
Senator Cindy Rosenwald
Senator Lou D'Allesandro

The Zoom Webinar convened at 10:01 a.m., with the assistance of Michael Kane, Legislative Budget Assistant.

OFFICIAL AUDIO CONFERENCE MEETING PROCEDURES:

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

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

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

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

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

ATTENDANCE ROLL CALL:

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

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

Representative Weyler – Present/in Kingston, alone in room
Representative Ober – Present/home in Hudson, alone
Representative Emerick – Present/alone in his home office in Hampton
Representative Leishman – Present/home in Peterborough, alone
Representative Umberger – Present/home in Kearsarge, and her husband is in the house
Senator Daniels – Present/at home in Milford, alone
Senate President Morse – Present/in his home office in Pompano, alone
Senator Giuda – Present/at home in Warren, alone in room, however family are in the house
Senator Rosenwald – Present/at home in Nashua, alone
Senator D’Allesandro – Present/at home in Manchester, alone in room, however his wife is in the house

ACCEPTANCE OF MINUTES:

On a motion by Senator D’Allesandro, seconded by Senator Giuda, that the minutes of the January 15, 2021 meeting be accepted as written.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes
MOTION ADOPTED. (10-Yes; 0-No)

NEW BUSINESS:

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

CONSENT CALENDAR

On a motion by Senator D'Allesandro, seconded by Senator Rosenwald, that the Committee approve the request under this section as submitted. [FIS 21-037 Department of Health and Human Services – authorization to transfer general funds in the amount of \$1,400,000 through June 30, 2021]

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D'Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

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

CONSENT CALENDAR

On a motion by Representative Ober, seconded by Senator D'Allesandro, that the Committee approve the request under this section as submitted. [FIS 21-043 Department of Education – authorization to transfer federal grant funds in the amount of \$320,000 through June 30, 2021]

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D'Allesandro – Yes

Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

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

At the request of the Committee, FIS 21-027 Department of Administrative Services, FIS 21-039 Department of Health and Human Services, and FIS 21-040 Department of Business and Economic Affairs were removed from the Consent Calendar.

On a motion by Senator D’Allesandro, seconded by Representative Ober, that the Committee approve the remaining requests under this section as submitted. [FIS 21-030 Department of Military Affairs and Veterans Services – authorization to accept and expend additional federal funds in the amount of \$500,000 through June 30, 2021, FIS 21-038 Department of Health and Human Services – authorization to accept and expend \$1,202,686 in federal funds through June 30, 2021, FIS 21-041 Department of Environmental Services – authorization to accept and expend \$386,665 in other funds through June 30, 2021, and FIS 21-044 Department of Justice – authorization to accept and expend \$228,184 in federal funds through June 30, 2021]

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

FIS 21-027 Department of Administrative Services – Charles Arlinghaus, Commissioner, Department of Administrative Services, responded to questions of the Committee.

On a motion by Representative Ober, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Administrative Services to increase and accept and expend a grant by \$40,000 from \$128,000 to \$168,000 in other funds through June 30, 2021 (FIS 20-128 originally approved July 10, 2020).

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

FIS 21-039 Department of Health and Human Services – Henry Lipman, Director, Office of Medicaid and Business Policy, Department of Health and Human Services, responded to questions of the Committee.

The Committee requested the Department provide a written list of measurable objectives towards determining grant program outcomes.

On a motion by Senator D’Allesandro, seconded by Senator Rosenwald, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$375,000 in federal funds through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

FIS 21-040 Department of Business and Economic Affairs – Hallie Pentheny, Administrator III, Department of Business and Economic Affairs, responded to questions of the Committee.

On a motion by Senator Giuda, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Business and Economic Affairs to accept and expend \$187,500 in federal funds through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D'Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

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

CONSENT CALENDAR

On a motion by Senator D'Allesandro, seconded by Representative Emerick, that the Committee approve the request under this section as submitted. [FIS 21-042 Department of Health and Human Services – authorization through June 30, 2021 to; 1) accept and expend \$148,290 in federal funds, and 2) establish three (3) full-time temporary positions consisting of; two (2) Program Specialist IV (LG 25) and one (1) Program Specialist III (LG 23)]

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D'Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

RSA 124:15, POSITIONS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator D’Allesandro, seconded by Senator Giuda, that the Committee approve the request under this section as submitted. [FIS 21-031 Department of Safety – authorization for the Division of Motor Vehicles to hire six temporary consultants through June 30, 2021]

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

CHAPTER 345, LAWS OF 2019, SITE EVALUATION COMMITTEE; BUDGET FOOTNOTE:

FIS 21-046 Site Evaluation Committee – On a motion by Senator D’Allesandro, seconded by Senator Giuda, that the Committee approve the request of the Site Evaluation Committee to accept general funds not to exceed \$95,343 from funds not otherwise appropriated through June 30, 2021.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

LATE INFORMATIONAL ITEM:

FIS 21-048 Department of Health and Human Services – Lori Shibinette, Commissioner, and Kerrin Rounds, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee pertaining to the Operating Statistics Dashboard SFY21 report through January 31, 2021.

AUDITS:

On a motion by Representative Umberger, seconded by Senator Giuda, that the Committee accept, place on file, and release in the usual manner the following audit reports; Unique College Investment Plan, Fidelity Advisor 529 Plan, State of New Hampshire Liquor Commission, Division of Enforcement and Licensing, and Department of Education, Bureau of Vocational Rehabilitation.

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

Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – Yes
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D’Allesandro – Yes
Representative Weyler – Yes (10-Yes; 0-No)
MOTION ADOPTED.

The Unique College Investing Plan, Annual Report, September 30, 2020 and The Fidelity Advisor 529 Plan, Annual Report, September 30, 2020 – Stephen Smith, Director of Audits, Audit Division, Office of Legislative Budget Assistant, Declan Byrne, Partner, PricewaterhouseCoopers, and Monica Mezzapelle, State Treasurer, presented the reports and responded to questions of the Committee.

State of New Hampshire, Liquor Commission, Division of Enforcement and Licensing, Performance Audit Report, February 2021 – Stephen Smith, Director of Audits, and Steven Grady, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Joseph Mollica, Chairman, Rosemary Wiant, Chief Operating Officer, and Mark Armaganian, Chief of Enforcement, Division of Enforcement, New Hampshire Liquor Commission were also present to respond to Committee questions.

Corrected to include in the minutes that, Senator Giuda requested that a copy of the New Hampshire Liquor Commission Enforcement and Licensing Chief's assessment, previously written on management prior to the completion of the audit, be delivered to the Committee Members.

On a motion by Senator Giuda, seconded by Representative Ober, that the Fiscal Committee require the highest official in the agency to report back to Fiscal, every time they meet, as long as there is an outstanding item in the latest audit report issued.

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

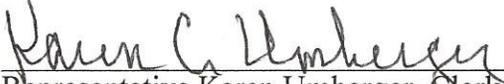
Representative Ober – Yes
Representative Emerick – Yes
Representative Leishman – Yes
Representative Umberger – Yes
Senator Daniels – Yes
Senate President Morse – No Present
Senator Giuda – Yes
Senator Rosenwald – Yes
Senator D'Allesandro – Yes
Representative Weyler – Yes (9-Yes; 0-No)
MOTION ADOPTED

State of New Hampshire, Bureau of Vocational Rehabilitation, Performance Audit Report, February 2021 – Stephen Smith, Director of Audits, and Vilay Skidds, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Frank Edelblut, Commissioner, and Lisa Hinson-Hatz, Bureau Chief, Bureau of Vocational Rehabilitation, Department of Education were also present to respond to Committee questions.

A subcommittee was formed to examine the Fiscal Committee's audit procedures consisting of Representatives Emerick, Edwards, Ober and Umberger, and Senator Giuda, and as Representative Emerick was the first to volunteer, he will set the first meeting.

DATE OF NEXT MEETING AND ADJOURNMENT:

The Chair scheduled the next regular meeting of the Fiscal Committee for Friday, March 19, 2021 at 10:00 a.m., whereupon the meeting adjourned by consensus at 12:45 p.m.


Representative Karen Umberger, Clerk