

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
May 8, 2020

The Fiscal Committee of the General Court met on Friday, May 8, 2020 at 10:00 a.m. via audio conference.

Members in attendance were as follows:

Representative Mary Jane Wallner, Chairman
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 Regina Birdsell (Alternate)

The audio conference convened at 10:04 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 2020-05, 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; 1) we are 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 electronic 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 contemporaneously to 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 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 calendar, 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.”

“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 Ford, sitting in for Representative Weyler as clerk, called the Roll of voting members.

Representative Wallner – Present/at home in Concord, alone

Representative Leishman – No Response

Representative Ford – Present/at home in Easton, alone

Representative Hennessey (Alternate for Representative Weyler) – Present/at home in Littleton with her two minor children

Representative Ober – Present/outside, alone

Senator D’Allesandro – Present/at home, alone

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

Senator Kahn – Present/at home in Keene, alone

Senator Rosenwald – Present/at home, alone

Senator Birdsell (Alternate for Senator Morse) – Present/at home in Hampstead, alone

ACCEPTANCE OF MINUTES:

On a motion by Senator D’Allesandro, seconded by Senator Kahn, that the minutes of the April 20, 2020 meeting be accepted as written.

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

Representative Leishman – No Response

Representative Ford – Yes

Representative Hennessey (Alternate) – Yes

Representative Ober – Yes

Senator D'Allesandro – Yes
Senate President Soucy – Yes
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Birdsell (Alternate) – Abstain
Representative Wallner – Yes (8-Yes; 0-No; 1 Abstained)
MOTION ADOPTED.

OLD BUSINESS:

FIS 20-029 Department of Education – 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**. No Action Taken.

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

CONSENT CALENDAR

The Chair announced that FIS 20-086 Department of Transportation would be removed from the Consent Calendar.

FIS 20-086 Department of Transportation – Marie Mullen, Director of Finance, Department of Transportation, responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Birdsell, that the Committee approve the request of the Department of Transportation to transfer \$15,400,000 in federal/highway/other funds between various accounts and classes through June 30, 2020.

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

Representative Ford – Yes
Representative Hennessey (Alternate) – Yes
Representative Ober – Yes
Senator D'Allesandro – Yes
Senate President Soucy – No Response
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Birdsell (Alternate) – Yes
Representative Wallner – Yes (8-Yes; 0-No)
MOTION ADOPTED.

ATTENDANCE ROLL CALL (continued):

Representative Leishman joined the meeting and he was at home alone.

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 Senator Birdsell, that the Committee approve the requests under this section as submitted. [FIS 20-069 Department of Agriculture, Markets & Food – authorization to budget and expend balance forward revenue totaling \$152,015 in other funds through June 30, 2020, FIS 20-074 Department of Natural and Cultural Resources – authorization to accept and expend \$1,255,265 in federal funds through June 30, 2021, FIS 20-075 Department of Natural and Cultural Resources – authorization to accept and expend \$110,000 in federal funds through June 30, 2021, FIS 20-076 Department of Natural and Cultural Resources – authorization to accept and expend \$102,800 in federal funds through June 30, 2021, FIS 20-079 Department of Environmental Services – authorization to accept and expend \$2,250,000 in other funds through June 30, 2021, FIS 20-080 Department of Environmental Services – authorization to accept and expend \$4,500,000 in other funds through June 30, 2021, FIS 20-085 Police Standards and Training Council – authorization to accept and expend \$115,838 in other funds through June 30, 2021, FIS 20-092 Department of Health and Human Services – authorization to accept and expend \$274,724 in other funds through June 30, 2021, FIS 20-093 Department of Health and Human Services – authorization to accept and expend \$420,445 in federal funds through June 30, 2021, and FIS 20-096 Department of Health and Human Services – authorization through June 30, 2020 to; 1) accept and expend \$3,753,750 in federal funds, and 2) contingent upon approval of Request #1, accept and expend additional Intra-Agency transfer from the Disproportionate Share Hospital Program in the amount of \$3,750,000 in other funds]

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

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

RSA 7:12 ASSISTANTS:

FIS 20-071 Department of Justice – Gordon MacDonald, Attorney General, Department of Justice, responded to questions of the Committee.

On a motion by Representative Leishman, seconded by Senator D'Allesandro, that the Committee **amend the request** of the Department of Justice to accept and expend a sum, not to exceed \$620,832 **be reduced by \$100,000 to a total of \$520,832** in general funds from funds not otherwise appropriated for the purpose of covering projected shortfalls in general litigation expenses incurred in the defense of the State and the prosecution of criminal laws.

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

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

On a motion by Representative Leishman, seconded by Senator D'Allesandro, that the Committee **approve as amended** the request of the Department of Justice to accept and expend a sum, not to exceed **\$520,832** in general funds from funds not otherwise appropriated for the purpose of covering projected shortfalls in general litigation expenses incurred in the defense of the State and the prosecution of criminal laws.

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

Representative Leishman – Yes
Representative Ford – Yes
Representative Hennessey (Alternate) – No
Representative Ober – No
Senator D'Allesandro – Yes
Senate President Soucy – Yes
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Birdsell – Yes
Representative Wallner – Yes (8-Yes; 2-No)
MOTION ADOPTED.

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, AND CHAPTER 346:223, LAWS OF 2019, TRANSFER OF FUNDS FOR OPERATION OF THE SUNUNU YOUTH SERVICES CENTER:

FIS 20-091 Department of Health and Human Services – Kerrin Rounds, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Birdsell, that the Committee approve the request of the Department of Health and Human Services to transfer \$3,322,689 in general funds between various class lines, increase Federal revenues in the amount of \$2,626,869, and increase related Other revenues in the amount of \$96,488 and create new expenditure class codes through June 30, 2020.

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

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

CHAPTER 346:380, LAWS OF 2019, NEW HAMPSHIRE VETERANS' HOME; TRANSFER AMONG ACCOUNTS AND CLASSES:

FIS 20-078 New Hampshire Veterans Home – Margaret LaBrecque, Commandant, New Hampshire Veterans Home, was present to address the Committee.

On a motion by Senator Birdsell, seconded by Representative Hennessey, that the Committee approve the request of the New Hampshire Veterans Home to transfer \$1,415,000 in general/federal/other funds between expenditure classes through June 30, 2020.

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

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

Representative Ober – Yes
Senator D’Allesandro – Yes
Senate President Soucy – Yes
Senator Kahn – Yes
Senator Rosenwald – Yes
Senator Birdsell (Alternate) – Yes
Representative Wallner – Yes
MOTION ADOPTED.

(10-Yes; 0-No)

MISCELLANEOUS:

None

INFORMATIONAL MATERIALS:

Kerrin Rounds, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee regarding FIS 20-088 Department of Health and Human Services – Pursuant to RSA 21-P:43, RSA 4:45, RSA 4:47 and Executive Order 2020-04, Governor Sununu has authorized the Department of Health and Human Services to transfer general funds in the amount of \$7,193,898 between various class lines, decrease Federal revenues in the amount of \$6,341,837, and decrease related Other revenues in the amount of \$87,770 and FIS 20-089 Department of Health and Human Services – Pursuant to RSA 21-P:43, RSA 4:45, RSA 4:47 and Executive Order 2020-04, Governor Sununu has authorized the Department of Health and Human Services, Division of Economic and Housing Stability, Bureau of Child Development and Head Start Collaboration, to accept and expend Child Care Development Program federal funds under the Coronavirus Aid, Relief, and Economic Security Act in the amount of \$6,999,268, effective from the date of the Governor’s approval through June 30, 2021.

The informational items were accepted and placed on file.

LATE INFORMATIONAL ITEMS:

Lori Shibinette, Commissioner, and Kerrin Rounds, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee regarding late informational items, FIS 20-097 Department of Health and Human Services – Pursuant to RSA 21-P:43, RSA 4:45, RSA 4:47 and Executive Order 2020-04, Governor Sununu has authorized the Department of Health and Human Services, New Hampshire Hospital, to transfer general funds in the amount of \$520,325 and other funds in the amount of \$658,000 between various class lines, and FIS 20-098 Department of Health and Human Services – May Operating Statistics Dashboard SFY20 including caseload information through March 31, 2020.

AUDITS:

On a motion by Senator D'Allesandro, seconded by Senator Birdsell, that the audit reports for; State of New Hampshire, Single Audit Of Federal Financial Assistance Programs, For The Year Ended June 30, 2019 and State of New Hampshire, Management Letter, Fiscal Year Ended June 30, 2019, and State of New Hampshire, Liquor Commission, Management Letter, For The Fiscal Year Ended June 30, 2019, be accepted, placed on file, and released in the usual manner and presented at a later date.

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

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

DATE OF NEXT MEETING AND ADJOURNMENT:

The Chair called a special meeting of the Fiscal Committee via audio conference for Thursday, May 28, 2020 at 10:00 a.m. for a Briefing on COVID-19 Expenditures by the Legislative Budget Assistant and scheduled the next regular meeting of the Fiscal Committee for Friday, June 12, 2020 at 10:00 a.m. (Whereupon the meeting adjourned at 11:27 a.m.)

/s/ Susan Ford

Representative Susan Ford, Acting Clerk