

JOINT LEGISLATIVE FISCAL COMMITTEE

By Vast Conference Call

Friday, April 10, 2020

MEMBERS PRESENT:

Rep. Mary Jane Wallner, Chair

Rep. Susan Ford

Rep. Lynne Ober

Rep. Peter Leishman

Rep. Erin Hennessey (Alt.)

Rep. David Huot (Alt.)

Sen. Lou D'Allesandro

Sen. President Donna Soucy

Sen. Cindy Rosenwald

Sen. Jay Kahn

Sen. Chuck Morse

(The audio conference convened at 10:07 a.m.)

(1) Call In Instructions:

MARY JANE WALLNER, State Representative, Merrimack County, District #10 and Chair: Good morning. This is Representative Mary Jane Wallner, Chair of the Fiscal Committee, and I welcome you to the first ever remote Joint Fiscal Committee meeting. I would like to take a moment to thank everyone who has worked to ensure we could meet today and going forward, and a special thank you to Fallon Reed at the Department of Safety, and Mike Kane at the Legislative Budget Assistant for making the remote meeting possible today.

As Chair of the Fiscal Committee of the General Court, 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 the Governor's Emergency Order number 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 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 the 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. Providing public notice of the necessary information 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 [GenCourt.state.nh.us/LBA/budget/Fiscal Committee](http://GenCourt.state.nh.us/LBA/budget/Fiscal%20Committee), 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, adjourning the meeting if the public is unable to access the meeting. In the event that the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

All right. Start the meeting by taking the roll attendance. For each member states their presence, please also state whether there is anyone in the room with you during the meeting which is required under the Right-To-Know Law.

Today, Representative Ford will be sitting in for Representative Weyler who is not with us today as the Clerk. And also sitting in for Representative Weyler is Representative Hennessey will be substituting for him on the Committee, and I'll ask Representative Ford to call the roll.

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SUSAN FORD, State Representative, Grafton County, District #03: Thank you, Representative Wallner, and you are the first person on the list. There anyone in the room with you?

CHAIRWOMAN WALLNER: Representative Mary Jane Wallner here. Yes, Nicholas Wallner.

REP. FORD: Thank you. Representative Leishman.

PETER LEISHMAN, State Representative, Hillsborough County, District #24: Representative Leishman here and nobody is in the room with me.

REP. FORD: The Clerk, Representative Ford, and there is no one in the room. Representative Hennessey.

ERIN HENNESSEY, State Representative, Grafton County, District #01: Representative Hennessey here, alone in the room.

REP. FORD: Representative Ober.

LYNNE OBER, State Representative, Hillsborough County, District #37: Representative Ober here. Three miscellaneous cats wandering in and out.

REP. FORD: Senator D'Allesandro.

(No response.)

REP. FORD: Senator D'Allesandro.

FALLON REED, Planning Chief, State Coordinating Officer, Department of Safety: Senator, you may have to unmute your line.

LOU D'ALLESANDRO, State Senator, Senate District #20: Yes, Senator D'Allesandro here, and there is no one with me.

REP. FORD: Senate President Soucy.

DONNA SOUCY, State Senator and Senate President, Senate District #18: Senator Donna Soucy, and I am home alone.

REP. FORD: Senator Kahn.

JAY KAHN, State Senator, Senate District #10: Present. No other party present.

REP. FORD: Senator Rosenwald.

CINDY ROSENWALD, State Senator, Senate District #13: Senator Rosenwald is present, and I am by myself.

REP. FORD: Senator Morse.

CHUCK MORSE, State Senator, Senate District #22: Senator Chuck Morse. No one else present.

REP. FORD: Thank you. Representative Wallner, that concludes the roll call.

CHAIRWOMAN WALLNER: Thank you. Thank you, Representative Ford, for taking the roll.

In recent days there have been discussions of the role of Fiscal Committee in acceptance and expenditures of future Federal funds to address the COVID-19 crisis. Before we get started today on our regular agenda, I would like to say a few words about the role and responsibilities of the Joint Fiscal Committee.

State Agencies regularly come to Fiscal Committee under RSA 14:30-a. RSA 14:30-a state: Any non-state funds in excess of \$100,000, whether public or private, including refunds of expenditures, federal aid, local funds, gifts, bequests, grants, and funds from any other non-state source, which under State Law require the approval of Governor and Council for acceptance and expenditure, may be accepted and expended by the proper

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persons or agencies in the State Government only with the prior approval of the Fiscal Committee of the General Court.

And under civil emergency statute, RSA 9:13-d, it expressly requires that Fiscal Committee approve any expenditures during an emergency. The statute says: To be determined by the Governor that a civil emergency exists, the Governor may, with the advice and consent of the Fiscal Committee, authorize such expenditures by any department or agency, as may be necessary to effectively deal with said civil emergency.

The Joint Fiscal Committee is meeting today and can continue to meet at any time while this -- though we have scheduled monthly meetings, regular monthly meetings, the Joint Fiscal Committee meets at the call of the Chair and to meet as often as necessary. All of us on this Committee understand that Granite Staters need relief now. This Committee does not and will not serve as a delay of any funds, will serve as a place for the Granite Staters will know that these funds are being spent wisely and judicially. While this Committee does not hold public hearings like other legislative committees, we do receive information and feedback from our constituents to help make our decision.

To that end, the House and Senate have set up a special e-mail account, New Hampshire COVID-19 Stimulus at leg.state.nh.us that will allow Granite Staters input on where they believe federal recovery money would be disbursed wisely. The Fiscal Committee stands ready to work with the Governor as our statute directs to accept and expend federal funds that come to our state for the COVID-19 crisis and to do what is best for all Granite Staters.

(2) **Acceptance of the Minutes of the March 13, 2020 Meeting.**

CHAIRWOMAN WALLNER: With that, I'd like to open the meeting and I think the first item on our agenda today is the

acceptance of the minutes of March -- March 13th. Do I have a motion?

** REP. LEISHMAN: So move, Madam Chair. Leishman here.

SEN. D'ALLESANDRO: Seconded by Senator --

CHAIRWOMAN WALLNER: Representative Leishman moves and Senator D'Allesandro seconds the acceptance of the minutes. And discussion? Are there any discussions?

MS. REED: Senator Rosenwald has a question.

CHAIRWOMAN WALLNER: Senator Rosenwald for a question.

SEN. ROSENWALD: Thank you. Since I was not present at that meeting, will I be able to abstain?

CHAIRWOMAN WALLNER: I believe you can, yes.

SEN. ROSENWALD: Thank you.

MS. REED: Just a reminder, any of the Committee Members have questions to hit 5* on your cell phone, and I'll be able to make Representative Wallner aware that you have a question. That's 5*.

CHAIRWOMAN WALLNER: Senator Soucy.

SEN. PRESIDENT SOUCY: I wish to be recorded as abstained as well as I was not present at the meeting.

CHAIRWOMAN WALLNER: Further discussion? There is no other --

MS. REED: I'm sorry. Ma'am, Senator Kahn has a question.

CHAIRWOMAN WALLNER: Oh, yes. Senator Kahn.

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SEN. KAHN: Record me as abstaining. I was not present.

CHAIRWOMAN WALLNER: Further discussion? Seeing none. I will ask the Clerk to call the roll.

REP. FORD: The motion before us is to approve the minutes as reported. Representative Leishman.

REP. LEISHMAN: Yes.

REP. FORD: Senator Ford, Clerk votes yes. Representative Hennessey.

REP. HENNESSEY: Yes.

REP. FORD: Representative Ober.

REP. OBER: Yes.

REP. FORD: Representative, excuse me, Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. FORD: Senator Soucy abstains. Senator Kahn abstains. Senator Rosenwald abstains. Senator Morse.

SEN. MORSE: Yes.

REP. FORD: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. FORD: Thank you. That is one, two, three, four, five, six, seven yeses and three abstentions.

***** {MOTION ADOPTED}**

(3) Old Business:

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CHAIRWOMAN WALLNER: Thank you, Representative Ford. Moving through our agenda, next is Old Business. Do I have -- does anyone want to make a motion around Old Business?

MS. REED: Ma'am, Representative Ober has a question.

CHAIRWOMAN WALLNER: Yes, please, Representative Ober.

REP. OBER: Thank you, Madam Chairman. It's not a question so much for Old Business. I have nothing to do there. I'm wondering if on the Consent Calendar if the Committee might agree to take every item separately rather than us trying to raise our hands if we wanted to take one item off Consent?

REP. FORD: That does complicate the roll call.

CHAIRWOMAN WALLNER: We'll have --

REP. FORD: But we can manage.

CHAIRWOMAN WALLNER: We'll have to take each item. We can do that if that is easier for us.

REP. FORD: Right.

CHAIRWOMAN WALLNER: Okay.

REP. OBER: Madam Chairman.

CHAIRWOMAN WALLNER: There is no Old Business, is that right? Yes, Representative Ober.

REP. OBER: Maybe at the beginning of each Consent Calendar you should just ask if any of the items need to come off Consent rather than us trying to raise our hand on each individual one.

CONSENT CALENDAR

(4) RSA 9:16-a, II, Transfers Authorized:

CHAIRWOMAN WALLNER: Okay. We'll do that. We'll do that. Thank you. I'm still trying -- okay, on Old Business, I think I did not hear any motions on Old Business. So we'll pass over Old Business and move into our first Consent Calendar which is item number 20-051, only one thing on that Consent Calendar. Discussions or questions around 051, the Department of Safety item? Any questions? Would we like anyone from Department of Safety to speak with us? Hearing no --

****** SEN. D'ALLESANDRO: I would move the item.

CHAIRWOMAN WALLNER: Senator D'Allesandro moves the item. Do we have a second?

REP. LEISHMAN: Second, Madam Chair.

CHAIRWOMAN WALLNER: And Representative Leishman seconds. Discussion? I ask the Clerk to call the roll.

REP. FORD: Let me just catch up here for a minute.

CHAIRWOMAN WALLNER: I'm sorry. I'll slow down.

REP. FORD: Representative Leishman.

REP. LEISHMAN: Yes.

REP. FORD: Representative Ford votes yes. Representative Hennessey.

REP. HENNESSEY: Yes.

REP. FORD: Representative Ober.

REP. OBER: Yes.

REP. FORD: Representative -- Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

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REP. FORD: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. FORD: Senator Kahn.

SEN. KAHN: Yes.

REP. FORD: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. FORD: Senator Morse.

SEN. MORSE: Yes.

REP. FORD: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. FORD: Thank you, Madam Chair. The vote is ten yes, zero no.

*** {MOTION ADOPTED}

- (5) RSA 9:16-a, II, 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 RSA 9:16-c, Transfer of Federal Grant Funds:

CHAIRWOMAN WALLNER: Thank you, Representative Ford. Now we'll move on to which is five, Tab (5) in our binder which we don't have with us today, and this is the Consent Calendar. And I guess I will -- let's do it the way we usually do it and ask for things to come off Consent. We will then take the -- we will then do the Consent whatever is left on it. We will vote on that and then we'll do the items that came off one at a time. So

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would people who would like to come off the Consent Calendar, please let us know which one.

MS. REED: Ma'am, Representative Ober has raised her hand.

REP. OBER: Madam Chairman, I would like 20-062 off the Consent.

CHAIRWOMAN WALLNER: Okay. Representative Ober asked to take 062 off Consent. We will take that one off. Further items off the Consent? If there are no further items coming off Consent, I would like to take off 20-066. I'm sorry. I'm sorry, that's in the next one. I'm sorry. That was my fault. Okay. So the only one on --

MS. REED: Ma'am.

CHAIRWOMAN WALLNER: Yes.

MS. REED: Sorry. Senator Kahn has raised his hand.

CHAIRWOMAN WALLNER: Okay. Senator Kahn.

(No Response.)

MS. REED: Senator Kahn, you may be on mute.

SEN. KAHN: We are only dealing with item five right now, not item six?

CHAIRWOMAN WALLNER: Yes, that's right. I jumped ahead. Getting out there in front of myself. So we are dealing with -- we have one item. It's 062 -- 20-062, Department of Health and Human Services item. It is transferring \$5 million of General Funds. And would you like to have someone from Department of Health and Human Services join us for some questions?

MS. REED: Kerrin Rounds is on the line.

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CHAIRWOMAN WALLNER: Hi, Kerrin. Thank you. And --

KERRIN ROUNDS, Chief Financial Officer, Department of Health and Human Services: Good morning.

CHAIRWOMAN WALLNER: -- questions for Kerrin?

MS. REED: Representative Ober has raised her hand.

CHAIRWOMAN WALLNER: Thank you. Representative Ober.

REP. OBER: Madam Chairman, I had asked some questions about this. Michael Kane sent us some information at 9 o'clock this morning. I wonder if Ms. Rounds could actually explain this and put it into some context for us. As you notice, the item that is on the agenda list has this kind of confusing statement that we don't usually see. If you are in favor of this and that, then if number one approved, then number two, number three and normally we take things as a whole item. So I'm not really sure what she's trying to convey to us.

CHAIRWOMAN WALLNER: Thank you. Miss Rounds, can you help us understand what the item is saying?

MS. ROUNDS: Yes. Good morning. Thank you for allowing me to speak this morning. So this item is -- is to transfer funds into the DCYF provider account. If you remember, I think it was the meeting in January that I was at that I was transferring money into -- or within DCYF. And I spoke about at that meeting that the total deficit in -- in DCYF was about 8 to \$10 million which was a result of TANF previously being budgeted in that Accounting Unit and it not being budgeted for '20 and '21; but that also it was not then resolved with General Funds during the budget process. So because of that, we needed to transfer money. And in the last meeting there was a lot of discussion about the transfer that was done and that request was essentially made that I resolve the rest of the issue in a different way.

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So I have resolved the rest of the issue by transferring money from the Medicaid Budget into DCYF knowing that part of the -- part of the DCYF budget includes Medicaid expenditures. So that is the transfer in a nutshell.

CHAIRWOMAN WALLNER: Thank you, Miss Rounds. Further questions?

REP. OBER: Madam Chairman.

CHAIRWOMAN WALLNER: Yes, Representative Ober.

REP. OBER: I'm on Page 6 of the documents that was submitted to us by the Commissioner. And on Page 6 under item (e) there, 047-7939, State Phase Down is 100% General Funds. So she's identifying funds. I'd like to know what won't be done if we do this.

CHAIRWOMAN WALLNER: Miss Rounds.

MS. ROUNDS: Yes, there won't be anything that's not done. Phase Down was budgeted and the actual expenditures for Phase Down are going to be less than what was budgeted. So those are General Funds that would have otherwise lapsed.

CHAIRWOMAN WALLNER: Thank you, Miss Rounds. Further questions of Miss Rounds?

MS. REED: Senator Rosenwald has her hand raised.

CHAIRWOMAN WALLNER: Senator Rosenwald.

SEN. ROSENWALD: Thank you, Madam Chair. Kerrin, good morning. You've said that we need to do this because TANF was -- the TANF situation wasn't resolved during the budget process. My recollection is that we did resolve with \$17 million TANF deficit that came with the budget to the House, and with about 8 million, I think, by the time it got to the Senate. But when I look at the specifics of the item, I only see couple hundred thousand dollars put into TANF and that's on Page 2 of

the item, TANF MOE down toward the bottom. So I'm just still confused. If you could help me, please.

MS. ROUNDS: Absolutely, Senator. So you are correct that we did resolve the overall TANF issue through the House and Senate phases so that we did not have a negative TANF balance which, as you all know, is something that cannot exist. So you are correct in that. What this issue was, is that during the 18-19 Fiscal Years, there was TANF budgeted in the DCYF budget. When we prepared the 20-21 budget, we did not include any TANF dollars or we included less TANF dollars in the DCYF budget than previously was used in 18-19 because we knew there were issues with the TANF overall balance. When we submitted that budget for '20 and '21, we submitted a Prioritized Need for General Funds to then backfill those TANF funds for DCYF budget and that request was not met in any phase of the budget. So that -- that's what the issue is.

With regards to that specific line, the -- there's actually several lines that are relate -- that were previously related to TANF and MOE, so I do believe that we've transferred funds into those lines in the previous transfer as well. In addition, there's what's also in the item it's not just -- it isn't just the TANF issue, although that is a large portion of it. It also is that, you know, out-of-state placements continue to be a higher cost and those have continued to increase or not at the same pace they had in previous years but are still --

CHAIRWOMAN WALLNER: Further question.

MS. REED: Ma'am, this is Fallon. Just one moment before we go further. I inadvertently did not turn on the recording function for the meeting, and I'm going to do that now so everyone will hear that the meeting will be recorded. And if anyone is not comfortable being recorded, they may disconnect at this time.

SEN. ROSENWALD: Madam Chair, may I ask a follow-up, please?

MS. REED: Senator Rosenwald has her hand raised.

CHAIRWOMAN WALLNER: Yes, Senator Rosenwald.

SEN. ROSENWALD: Thank you very much. Thank you, Kerrin, for that explanation. I'm assuming, as I think Representative Ober was, that these funds that you're transferring had been otherwise appropriated. What impact will this transfer have on the lapse or on the required back-of-the-budget cut for the Department?

MS. ROUNDS: So I would say this transfer doesn't have an impact on what I'm projecting. What has an impact is -- is the current COVID epidemic.

CHAIRWOMAN WALLNER: Further questions?

MS. REED: There are no other questions showing.

CHAIRWOMAN WALLNER: Okay. Seeing no other questions. Do we have a motion on this item?

****** SEN. D'ALLESANDRO: I move the item.

CHAIRWOMAN WALLNER: Senator D'Allesandro moves the item.

REP. HENNESSEY: Second.

CHAIRWOMAN WALLNER: And do we have a second?

REP. HENNESSEY: Second, Hennessy.

CHAIRWOMAN WALLNER: Thank you. And Representative Hennessy seconds. And I will ask Representative Ford to call the roll.

REP. FORD: Thank you, Madam Chair. Representative Leishman.

REP. LEISHMAN: Yes.

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REP. FORD: Representative Ford votes yes. Representative Hennessey.

REP. HENNESSEY: Yes.

REP. FORD: Representative Ober.

REP. OBER: Yes.

REP. FORD: Representative -- Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. FORD: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. FORD: Senator Kahn.

SEN. KAHN: Yes.

REP. FORD: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. FORD: And Senator Morse.

SEN. MORSE: Yes.

REP. FORD: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. FORD: Thank you, Representative, Wallner. The vote is ten yeases, zero no. Motion passes.

***** {MOTION ADOPTED}**

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CHAIRWOMAN WALLNER: The motion passes. Thank you, Representative Ford.

(6) **RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000 from Any Non-State Source:**

CHAIRMAN WALLNER: And now we'll move on to our Consent item under our Tab 6, and we have several items there. Would we like to -- why don't people tell me which ones they would like to have come off and then we'll vote on the remaining ones as a block, and then we'll discuss the ones that come off. So which items would people like to have come off and we'll have individual discussions on those?

MS. REED: Ma'am, I'm showing Senator Kahn has his hand raised.

CHAIRWOMAN WALLNER: Yes, Senator Kahn.

(No response.)

CHAIRWOMAN WALLNER: Senator Kahn, you have an item to come off?

SEN. KAHN: Yes, I'm sorry. Item 20-058, Professional Licensure and Certification.

CHAIRWOMAN WALLNER: Okay. Yes, we'll take that one off. I have that one.

MS. REED: Ma'am, I'm also showing Senator Rosenwald has her hand raised.

CHAIRWOMAN WALLNER: Yes, Senator Rosenwald.

(No Response.)

CHAIRWOMAN WALLNER: Senator Rosenwald.

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SEN. ROSENWALD: Sorry, I was muted. I would like to remove Item 063 and 066. Thank you.

CHAIRWOMAN WALLNER: So that's 063 and 066 have both come off. Other items to come off the Consent Calendar? Okay. Hearing -- hearing no other items to come off, let's vote first on the remainder items that were on -- that are on the Consent Calendar, and then we'll go to the items that came off individually. Do I have a motion?

****** SEN. D'ALLESANDRO: Move the Consent Calendar as stated.

REP. OBER: Second.

CHAIRWOMAN WALLNER: Senator D'Allesandro moves the Consent Calendar. And do I have a second?

REP. OBER: Ober seconds.

CHAIRWOMAN WALLNER: Thank you. Representative Ober seconds. Thank you. And I will ask Representative Ford to call the roll.

REP. FORD: Thank you. Representative Leishman.

REP. LEISHMAN: Yes.

REP. FORD: Representative Ford votes yes. Representative Hennessey.

REP. HENNESSEY: Yes.

REP. FORD: Representative Ober.

REP. OBER: Yes.

REP. FORD: Representative -- Senator D'Allesandro.

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SEN. D'ALLESANDRO: Yes.

REP. FORD: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. FORD: Senator Kahn.

SEN. KAHN: Yes.

REP. FORD: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. FORD: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. FORD: Thank you. The vote is --

SEN. D'ALLESANDRO: You missed Senator Morse.

REP. FORD: Oh, is he gone?

SEN. D'ALLESANDRO: No.

SEN. MORSE: No.

REP. FORD: I did call --

SEN. MORSE: No, you didn't.

REP. FORD: Did I miss Senator Morse?

SEN. MORSE: Yes.

REP. FORD: Thank you. Senator Morse.

SEN. MORSE: Votes yes.

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REP. FORD: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. FORD: The vote is 10 to zero.

***** [MOTION ADOPTED]**

CHAIRWOMAN WALLNER: Thank you. The motion passes 10 to zero. And now we'll go to Item 20-058, Office of Professional Licensure and Certification. And I believe Senator Kahn asked this to come off the Consent Calendar, and would you like to have someone come up to answer some questions?

SEN. KAHN: Yes, Madam Chair.

CHAIRWOMAN WALLNER: Is there someone available from Professional Licensure?

MS. REED: Yes, ma'am. I muted Lindsey Courtney's line.

CHAIRWOMAN WALLNER: Thank you. Senator Kahn, you have questions?

SEN. KAHN: Thanks, Madam Chair. I think just a general explanation of how this fits in with one, the 20-21 budget, but also other items that may be coming before the Committee. We've had some previous that had similar characteristics of enhancements and are there more yet to come? And then there's a follow-up question after that. Thank you.

LINDSEY COURTNEY, Interim Executive Director, Office of Professional Licensure and Certification: Thank you, Senator. This is Lindsey Courtney, Interim Executive Director. I think as to the latter question, this is the only item related to enhancement of the positions. And as to the former question, how it fits into the 20-21 Budget, again, this was a payroll authorization that was approved by G & C, I think, dating back

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to October of 2018. And so the question before you is really whether we can accept and expend beyond appropriated amounts near existing payroll obligations which includes the pharmacy enhancement about 68%, it's a 68% enhanceable. I'm not sure if that answers your question, Senator.

CHAIRWOMAN WALLNER: Do you have further questions, Senator Kahn?

SEN. KAHN: Yes. I think the follow-up then is projection on meeting the budget which the Department anticipates being at the end of the year. We've got a projection that seems pretty general in the back of this presentation with \$500,000 projected over budget net of the actions having been taken by previously an enhancement or salary items leads to a balance of 221,000 at the end of the year. But the presentation looks like the figures are probably better known by the Department at this point in the Fiscal Year. So it's that that I'd like Ms. Courtney to respond to. Where do they think they're going to end up relative to the dollars that were anticipated revenue over budget, over in to be recovered and what kind of fund balance is she anticipating because of revenue over budget?

MS. COURTNEY: Thank you, Senator. That's helpful. I think what you have before you is specific to the House Division's accounting unit, but I think the question is geared more toward where is the office as a whole as it relates to the 20-21 budget. So, obviously, OPLC is a self-funded agency. We have a lapse target of \$3.5 million for this year and for Fiscal Year 21.

For the Fiscal Year 19 we lapsed \$3.3 million. That was based on about 2.7, 2.8 million in excess revenue, approximately 550,000 in excess appropriations. So I believe my assumption is that our lapse target of 3.5 for this year and for next year was based on our FY 19 lapse. However, our anticipated revenue for FY 20 is projected to be about a million dollars less than FY 19 and this is just based on renewal schedules.

Certain professions renew biennially as you know, certain professions renew annually. We even have some that renew every three years. And so our revenue stream is not consistent. So at the start of FY 20, OPLC was projecting a dedicated fund at the end of this Fiscal Year to be \$2.8 million and that's assuming everything else remains the same from FY 19.

Obviously, expenses as you noted, Senator, have changed throughout FY 20. We did under the prior Executive Director receive permission to accept and expend for two additional DoIT positions that would total 61,000 for the remainder of this year. Obviously, with the hiring freeze that has not been filled; but I will, you know, assume, you know, my numbers that I'll provide to you, we'll assume that that has been satisfied.

We also came before the Committee to accept and expend for additional part-time salaries that were not accounted for in OPLC's budget and that was approved. I think for FY 20 that will account for \$80,000. And we also had an expense related to a statutory change for pharmacists, moving from annual renewal to biennial renewal. That resulted in a projected decrease in revenue of about \$350,000.

So since February, you know, I can only speak to the actions that I've taken, but I believe I appropriately managed the funding. Our excess appropriation for FY 20 are projected to be \$1.1 million, which obviously is substantially more than FY 19.

As of right now, if the Committee were to approve this request, we are only projecting a lapse of \$2.3 million or approximately actually closer to \$2.4 million. If the Committee were to decline to approve the request, we would still be projecting a lapse of about \$2.55 million which is still approximately \$1 million less than our anticipated lapse. And, again, that the basis for that difference is really the difference in renewal fee schedules. I think that may answer your question, Senator, but let me know if that --

CHAIRWOMAN WALLNER: Further questions, Senator Kahn?

SEN. KAHN: Madam Chair, I think it answers the question. It leaves, you know, a question about how we fail to recognize that properly in the budget. I don't think just the pharmacy license change is -- makes up for that difference, so. I understand it, and I'm sure LBA will track that going forward as something that we will be under what was anticipated.

CHAIRWOMAN WALLNER: Thank you, Senator Kahn. Do we have a motion on this item?

MS. REED: Ma'am, there's a couple more questions.

CHAIRWOMAN WALLNER: Oh, okay. I'm sorry. Yes.

MS. REED: Representative Leishman has his hand raised.

CHAIRWOMAN WALLNER: Representative Leishman.

REP. LEISHMAN: Thanks, Madam Chair. Lindsey did a great job. My question was on the lapse so I'm all set. Thanks.

MS. REED: Senator Rosenwald. Senator Rosenwald has her hand --

SEN. ROSENWALD: Thank you, Madam Chair. I know we had a bill in ED&A that addressed a number of questions about OPLC, and I'd like to follow-up on Senator Kahn's question.

The -- when the Governor proposed this budget in February, it did change the pharmacy licensing to biennial renewals. And, as I recall, that had an impact of about \$700,000 a year that was lapsed to the General Fund, and I know we've planned to spend that. So my question really is why didn't the agency bring this up during the budget discussions in the spring last year?

MS. COURTNEY: Thank you, Senator. Just one point of clarification. The pharmacy change to biennial I believe was in

a different statute. It wasn't in HB 4. But you're right, it was proceeding through the Legislature at the time of the budget talks. I, obviously, can't speak to the budget conversations since I only started at OPLC in September and assumed the role as Interim Executive Director this February. But I think --I think your point is well made. That should have been brought up during budget discussions. I think we're all aware that there was some leadership challenges in the agency that I hope have been rectified at least, at least under my watch, I hope; and this absolutely should have been brought up during budget discussions.

CHAIRWOMAN WALLNER: Further questions? Hearing no further questions. Do we have a motion?

** REP. LEISHMAN: Move the item, Madam Chair.

SEN. D'ALLESANDRO: Move the item.

CHAIRWOMAN WALLNER: Representative Leishman moves the item.

SEN. D'ALLESANDRO: I would second it.

CHAIRWOMAN WALLNER: And Senator D'Allesandro second. Further discussion on this item? Hearing no further discussion, I will ask the Clerk to call the roll.

REP. FORD: Thank you, Madam Chair. Representative Leishman.

REP. LEISHMAN: Yes.

REP. FORD: Representative Ford votes yes. Representative Hennessey.

REP. HENNESSEY: Yes.

REP. FORD: Representative Ober.

REP. OBER: Yes.

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REP. FORD: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. FORD: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. FORD: Senator Kahn.

SEN. KAHN: Yes.

REP. FORD: Senator Rosenwald.

SEN. ROSENWALD: No.

REP. FORD: Senator Morse.

SEN. MORSE: Yes.

REP. FORD: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. FORD: Thank you. Madam Chair, the vote is nine yes, one no.

***** {MOTION ADOPTED}**

CHAIRWOMAN WALLNER: Motion passes. The vote's nine to one. Thank you. And we'd like to move on to item number 20-063. This is Department of Health and Human Services. And do we have questions of the Department? Are there questions for the Department on this one?

MS. REED: Ma'am, Senator Rosenwald has her hand risen.

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CHAIRWOMAN WALLNER: Yes, Senator Rosenwald, would you like someone to come up from the Department?

SEN. ROSENWALD: Yes, please, Madam Chair. I have two questions.

CHAIRWOMAN WALLNER: Okay. I guess if Kerrin Rounds could come back online.

MS. ROUNDS: I'm here.

SEN. ROSENWALD: Thank you.

CHAIRWOMAN WALLNER: Great! Senator Rosenwald has a question.

SEN. ROSENWALD: Thank you very much, Madam Chair, and thank you, Miss Rounds. Could you tell us, please, how many net additional staff have been added to DCYF since July?

LORI SHIBINETTE, Commissioner, Department of Health and Human Services: Hi, Senator Rosenwald. It's Lori Shibinette here with Kerrin.

SEN. ROSENWALD: Hi, Commissioner.

MS. SHIBINETTE: Hi. Unfortunately, we don't have those numbers today. Most of our Department is either working at the Emergency Operation Center, as Kerrin and I are, or working remotely. So we're happy to try to gather those -- that information and give you an update after this meeting.

SEN. ROSENWALD: That would be helpful. I think we had similar questions in February. But my second question is more about the public service announcements to improve the public -- the community's perception of DCYF. Has the Department picked an advertising agency yet to do this advertising campaign?

MS. ROUNDS: You're speaking of what's discussed within this Fiscal item?

SEN. ROSENWALD: Correct.

MS. ROUNDS: I don't think we have yet. I think that that would need to go through the contracting process.

SEN. ROSENWALD: Thank you.

CHAIRWOMAN WALLNER: Further questions? Hearing none. Do we have a motion on this item?

** SEN. D'ALLESANDRO: I would move the item.

CHAIRWOMAN WALLNER: Senator D'Allesandro moves.

SEN. KAHN: Senator Kahn seconds.

CHAIRWOMAN WALLNER: Do I have a second? And Senator Kahn seconds. And any discussion of the item? Hearing no -- hearing no discussion, I'll ask the Clerk to call the roll.

REP. FORD: Thank you, Madam Chair. Representative Leishman.

REP. LEISHMAN: Yes.

REP. FORD: Representative Ford votes yes. Representative Hennessey.

REP. HENNESSEY: Yes.

REP. FORD: Representative Ober.

REP. OBER: No.

REP. FORD: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

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REP. FORD: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. FORD: Senator Kahn.

SEN. KAHN: Yes.

REP. FORD: Senator Rosenwald.

SEN. ROSENWALD: No.

REP. FORD: Senator Morse.

SEN. MORSE: Yes.

REP. FORD: And Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. FORD: The vote is eight yeses, two nos.

***** {MOTION ADOPTED}**

CHAIRWOMAN WALLNER: The motion passes 8 to 2. And now let's move on to Item 20-066, and do we have questions on this item or would you like someone from the Department to come up?

MS. REED: Ma'am, Representative Ober has her hand raised.

CHAIRWOMAN WALLNER: Yes, Representative Ober, would you like someone to come up from the Department to answer questions?

REP. OBER: Thank you, Madam Chairman. As before, we had questions on this and I understand the agency is very backed up with COVID and what's going on with the state; but we got almost no responses back as to how they were going to do this. This is 100% Federal funds. While it does say that General Funds will

not be requested to support program expenditures, the details of this are very low and it says through June 30th, 2020, which is ten weeks away, it's asking for a large amount of money, and I'd like to know how they can spend this between now and June 30th, especially given, as the Commissioner just said, they're all working on the COVID?

CHAIRWOMAN WALLNER: Thank you, Representative Ober. I think -- is Kerrin Rounds available?

MS. ROUNDS: I am. So these -- these funds are actually one of the earlier distributions of COVID related funds and are for home delivery of meals. So that is how the funds will be used. I don't know if they will all be used between now and June 30th and if they are not, then they will not be expended. We are going to allocate them proportionally based on how they were budgeted in their current contract.

REP. OBER: Follow-up.

MS. ROUNDS: Hold on, the Commissioner would like to add to that. I'm sorry.

MS. SHIBINETTE: I would like to just add as we've communicated several times in the press, people over the age of 60 and people with underlying medical conditions are the most at-risk for having negative outcomes to COVID, so we have pushed and messaged very, very strongly that these folks need to stay home. Because of that, the ability to provide more meals through home delivery ultimately keeps people safe. So it was something very early on that -- that both the Federal Government and our own Department identified as something that needed additional funding. So we worked and moved very expeditiously to get our Meals on Wheels programs and our Congregate Housing programs ramped up so that we could limit the amount of time that our seniors need to leave the house.

REP. OBER: Follow-up, Madam Chair.

CHAIRWOMAN WALLNER: Yes, Representative Ober.

REP. OBER: Thank you, Madam Chairman. Just a comment. Communicating to the Legislature through the press is not horrendously effective, but I understand you do need to communicate with the public. However, it would be nice to hear if you knew this was coming and you'd been communicating, what steps have already been taken so we can expend this money by June 30th? And I'm sorry if Ms. Rounds thought she said that, but it wasn't very clear. And if you could try again, I'd appreciate it.

MS. SHIBINETTE: I guess the -- I guess what we need to be clear about is that our current population that is currently getting Meals on Wheels and probably more, right, as we increase those populations, as we tell more people to stay at home, our current contract and our current service providers that provide Meals on Wheels and congregate meals have ramped up the amount of meals and the amount of people that we're delivering to to limit the amount of people going -- elderly people, people with underlying conditions going out. So this money is going to support those additional meals of additional staff and drivers and all the expenses that go along with it to keep people in their home. If we're not able to expend all of this money, then it would not be drawn down.

CHAIRWOMAN WALLNER: Further question.

REP. OBER: Could I try it one other way?

CHAIRWOMAN WALLNER: Yes, you may.

REP. OBER: It was my understanding, Miss Rounds, that the contracts we had provided to Meals on Wheels had a finite fixed amount at the end. You may spend up to this. So could you explain how we're going to use those same contracts? What's the process to extend that so we can expend beyond the contracted amount now that we have the money? I'm concerned we won't get

this money out to our communities by June 30th because this has such a close cut- off date.

MS. ROUNDS: Thank you for clarifying your question, Representative Ober. Now I completely understand what you're asking. Yes, so we will be amending those contracts. We were actually already in the process of amending the contracts. As a few of you who are on Finance Division III may remember, there were some additional funds identified while a bill was being heard for these types of services. So we were already in process of amending those.

We are actually working with the Governor's Office and the Department of Administrative Services to, if this item was approved today, to look at actually getting that money out the door before we fully executed the contract if there was agreement to do that, because as the Commissioner was speaking to, this is a really important thing that needs to happen, and those funds do need to get out as quickly as possible. But we are in process and I would expect that contract would be on the next G&C agenda at the very latest.

REP. OBER: Thank you very much.

CHAIRWOMAN WALLNER: Thank you. Thank you, Ms. Rounds. Are there further questions on this item?

MS REED: Yes, a couple. Senator Rosenwald has her hand raised.

CHAIRWOMAN WALLNER: Senator Rosenwald.

SEN. ROSENWALD: Thank you, Madam Chair. My understanding of the Meals on Wheels Program is that about \$10 million was appropriated in the budget, but the Department contracted for \$9.2 million. So this \$800,000, am I correct that it's not really an increase in the Meals on Wheels. It's using some federal stimulus funds to backfill the budget?

MS. ROUNDS: No, This would actually be an increase. Like I mentioned before, we were already doing a contract amendment to bring up that 9.2 million. So this will then be in addition to that. It won't supplant it.

SEN. ROSENWALD: Could I follow-up, please?

CHAIRWOMAN WALLNER: Yes, please.

SEN. ROSENWALD: So that \$800,000 that the Department hadn't originally contracted for was still unexpired and available to spend or would it be lapsing?

MS. ROUNDS: I don't remember the exact amount that we had talked about contracting. I know in front of the Committee I had testified to an amount, and I apologize, I can't remember that off the top of my head, but that amount is still moving forward and as well as this new.

SEN. ROSENWALD: Thank you.

CHAIRWOMAN WALLNER: Further questions?

MS. REED: Ma'am, Representative Hennessey has her hand raised.

CHAIRWOMAN WALLNER: Yes, Representative Hennessey.

REP. HENNESSEY: Thank you. Thank you, Madam Chair. Miss Rounds answered my question. Thank you.

CHAIRWOMAN WALLNER: Thank you. Any further questions on this item? Any further discussion?

MS. REED: Senator D'Allesandro has his hand raised.

CHAIRWOMAN WALLNER: Yes, Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you, Madam Chairman. I want to make it clear to my colleagues that this is money that has come to us under the process that we have always used. It's COVID virus money, comes to the Department, Department brings it to Fiscal, Fiscal handles it and moves it forward. We're doing this efficiently and effectively and doing something that needs to be done. That's a process that we've used. I want to emphasize that because it's really what we're here for today and what the Fiscal Committee was intended to do. And this is a perfect example of how the process takes place, and I want to emphasize that to my colleagues. And the question is getting the money out as quickly as possible to address a very specific need that was caused by the virus that was keeping people at home so that they could be safe and at the same time get their meals. Thank you, Madam Chairman.

CHAIRWOMAN WALLNER: Thank you. Further -- further questions or --

** SEN. D'ALLESANDRO: I would move the item.

CHAIRWOMAN WALLNER: -- discussion of this item? Senator D'Allesandro moves the item. Do we have a second?

SEN. ROSENWALD: Second.

REP. HENNESSEY: Second Hennessey.

CHAIRWOMAN WALLNER: Second. Representative Hennessey seconds. Senator Rosenwald -- Senator D'Allesandro moves and is there further discussion at this time?

MS. REED: Representative Ober has her hand raised.

CHAIRWOMAN WALLNER: Yes, Representative Ober.

REP. OBER: Thank you, Madam Chairman. I think that relating to my colleague's comments about this is what Fiscal is supposed to do, I think that was the concern of all of us. Is

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the process started so this money can actually get out in the next ten weeks, because I believe we all know probably better than anybody else how long it takes to get new contracts out. But the fact they can adjust them and start getting that money out, as Miss Rounds said, is very good news. Thank you.

CHAIRWOMAN WALLNER: Thank you, Representative Ober, and I certainly agree with that sentiment. Further discussion of this item? Seeing none, I'll ask the Clerk to call the roll.

REP. FORD: Thank you, Madam Chair. Representative Leishman.

REP. LEISHMAN: Yes.

REP. FORD: Representative Ford votes yes. Representative Hennessey.

REP. HENNESSEY: Yes.

REP. FORD: Representative Ober.

REP. OBER: Absolutely.

REP. FORD: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. FORD: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. FORD: Senator Kahn.

SEN. KAHN: Yes.

REP. FORD: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. FORD: Senator Morse.

SEN. MORSE: Yes.

REP. FORD: And Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. FORD: The vote is 10 to zero.

CHAIRWOMAN WALLNER: The item passes 10 to zero. Thank you, Representative Ford.

***** {MOTION ADOPTED}**

(7) RSA 106-H:9, I(e) Funding: Fund Established:

CHAIRWOMAN WALLNER: And our next under Tab 7 is -- our next item is 20-055. It is a Department of Safety item. Would anybody like to have the Department of Safety speak to this? Seeing no questions, do we have a motion on this item?

****** SEN. D'ALLESANDRO: I would move the item.

CHAIRWOMAN WALLNER: Senator D'Allesandro moves.

SEN. PRESIDENT SOUCY: Senator Soucy seconds.

CHAIRWOMAN WALLNER: Senator Soucy seconds. Discussion of the item? Seeing none, I'll ask the Clerk to call the roll.

REP. FORD: Thank you, Madam Chair. Representative Leishman.

REP. LEISHMAN: Yes.

REP. FORD: Representative Ford votes yes. Representative Hennessey.

REP. HENNESSEY: Yes.

REP. FORD: Representative Ober.

REP. OBER: Yes.

REP. FORD: Representative -- Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. FORD: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. FORD: Senator Kahn.

SEN. KAHN: Yes.

REP. FORD: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. FORD: Senator Morse.

SEN. MORSE: Yes.

REP. FORD: And Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. FORD: Thank you. The vote is 10 to zero.

***** {MOTION ADOPTED}**

CHAIRWOMAN WALLNER: So item passes and it's 10 to zero.

(8) RSA 363:28, III, Office of the Consumer Advocate:

CHAIRWOMAN WALLNER: Going on now to Tab 8, and this is Item 20-059, it's the Office of the Consumer Advocate. Does anyone want to have the Consumer Advocate speak to this? Seeing no --

****** REP. HENNESSEY: I move the question.

CHAIRWOMAN WALLNER: I'm sorry, who was that?

REP. HENNESSEY: Representative Hennessy.

CHAIRWOMAN WALLNER: Oh, Representative Hennessy moves the item. Do we have a second?

SEN. D'ALLESANDRO: Second.

REP. OBER: Second.

CHAIRWOMAN WALLNER: Senator D'Allesandro, was that you?

SEN. D'ALLESANDRO: Yes.

CHAIRWOMAN WALLNER: Okay. And discussion of the item? Hearing none, I will ask the Clerk to call the roll.

REP. FORD: Thank you, Madam Chair. Representative Leishman.

REP. LEISHMAN: Yes.

REP. FORD: Representative Ford votes yes. Representative Hennessy.

REP. HENNESSEY: Yes.

REP. FORD: Representative Ober.

REP. OBER: Yes.

REP. FORD: Senator D'Allesandro.

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SEN. D'ALLESANDRO: Yes.

REP. FORD: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. FORD: Senator Kahn.

SEN. KAHN: Yes.

REP. FORD: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. FORD: Senator Morse.

SEN. MORSE: Yes.

REP. FORD: And Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. FORD: Thank you. The vote is ten yeses, zero no.

CHAIRWOMAN WALLNER: The motion passes, 10 to zero. Thank you, Representative Ford.

***** {MOTION ADOPTED}**

(9) RSA 604-A:1-b, Additional Funding:

CHAIRWOMAN WALLNER: And moving on to our next item is 20-057. It's the Judicial Council. And I know there is possibly some new information on this, and are there questions?

MS. REED: Ma'am, Representative Ober has her hand raised.

CHAIRWOMAN WALLNER: Yes, Representative Ober. Would you like someone from the Judicial Council to come up to answer questions?

****** REP. OBER: Thank you, Madam Chairman. I had a conversation with Director Blodgett of the Judicial Council. While she currently has \$28,000 in outstanding invoices, she and I were both aware that the courts are currently closed. And, actually, families that had a court hearing coming up in April or May got a notification that they were extended, those court hearings would stay into effect. So there's actually less work going on. And usually Director Blodgett is very good about going back, looking at historical data, telling -- excuse me, I have hay fever -- telling us about what has happened in that month or that period in history, but she doesn't have any history when the courts have just been closed.

So when it is appropriate, I would like to amend this motion to give her \$150,000 now with the understanding that should the courts open soon, which we know isn't going to be until sometime at least in May, but if you listen to Dr. Chan yesterday he was saying we weren't even going to get the peak until then. She can always come back to us. We only have ten weeks until the end of the Fiscal Year. Thank you.

CHAIRWOMAN WALLNER: Thank you, Representative Ober. Other discussion of this item of Miss Blodgett? So Representative Ober motions that we reduce the appropriate -- the appropriation from 250 to \$150,000. Does she have a second?

REP. LEISHMAN: I'll second the Ober motion, Madam Chair.

CHAIRWOMAN WALLNER: Ober moved and Leishman second. So is there discussion of that motion?

MS. REED: Ma'am, Senator Kahn has his hand raised.

CHAIRWOMAN WALLNER: Yes, Senator Kahn.

SEN. KAHN: I was going to second the motion. Thank you for recognizing me. No further comment.

MS. REED: Senator Soucy also has her hand raised.

CHAIRWOMAN WALLNER: Yes, Senator Soucy.

SEN. PRESIDENT SOUCY: Thank you, Madam Chair. It's actually a question of you. If we were to reduce the amount, how quickly do you intend to have the Committee meet again in case there are more funds needed?

CHAIRWOMAN WALLNER: Actually, I'm going to call -- already I'm planning on calling a special meeting for May -- for April -- I'm sorry, for April 20th, which is not our usual date. It's a Monday. I'm going to call a special meeting. When we get to the end of the agenda, I'll talk about -- a little bit about that meeting and its purpose. So we will be back in on April 20th, and then we will have another -- our regularly scheduled meeting on May 8th.

SEN. PRESIDENT SOUCY: So if I may follow-up? Madam Chair, that would certainly give the Council the opportunity to come forward if they need additional funds then.

CHAIRWOMAN WALLNER: Yes, I would think so.

SEN. PRESIDENT SOUCY: Thank you.

MS. REED: Ma'am, Sarah Blodgett has her hand raised.

CHAIRWOMAN WALLNER: Yes, Miss Blodgett. Thank you.

SARAH BLODGETT, Executive Director, Judicial Council: Good morning, Madam Chair and Committee Members. Thank you for taking up this item. I just wanted to say that I did speak with Representative Ober. We looked at past history for this cost, especially the termination cost which has increased significantly over the past couple of years, as you all know.

But with the uncertainty about the impact of COVID-19 on our expenditures, we certainly feel that \$150,000 right now will get us through the near future and we would be happy, if we need to, to come back and make an additional request before the end of the Fiscal Year.

CHAIRWOMAN WALLNER: Thank you, Miss Blodgett. Are there other questions of Miss Blodgett while she's here? Hearing none. Our first vote will be on Representative Ober's motion to amend the item. Representative Ober moved and Representative Leishman seconded the amendment. Questions about the amendment or discussion, further discussion of it? Hearing none, I will ask the Clerk to call the roll on the amendment.

REP. FORD: Thank you, Madam Chair. Representative Leishman.

REP. LEISHMAN: Yes.

REP. FORD: Representative Ford votes yes. Representative Hennessey.

REP. HENNESSEY: Yes.

REP. FORD: Representative Ober.

(No response.)

REP. FORD: Representative Ober.

REP. OBER: Sorry, I had muted my phone. Yes.

REP. FORD: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. FORD: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. FORD: Senator Kahn.

SEN. KAHN: Yes.

REP. FORD: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. FORD: Senator Morse.

SEN. MORSE: Yes.

REP. FORD: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. FORD: Thank you, Madam Chair. The vote on the amendment is ten yes, zero no.

***** {MOTION ADOPTED}**

CHAIRWOMAN WALLNER: Now I need a motion on the amended version of the item.

****** SEN. D'ALLESANDRO: So moved.

SEN. PRESIDENT SOUCY: Senator Soucy moves.

SEN. D'ALLESANDRO: Senator D'Allesandro seconds.

CHAIRWOMAN WALLNER: Senator Soucy moves and Senator D'Allesandro seconds the amended item. And I will ask is there any discussion? None. Seeing none, I will ask the Clerk to call the roll.

REP. FORD: Thank you. Just let me catch up one minute. I have Senator Soucy approving the motion and Senator D'Allesandro seconding; is that right, Madam Chair?

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CHAIRWOMAN WALLNER: Yes, that's the way I announced it.

REP. FORD: Thank you. Representative Leishman.

REP. LEISHMAN: Yes.

REP. FORD: Representative Ford votes yes. Representative Hennessey.

REP. HENNESSEY: Yes.

REP. FORD: Representative Ober.

REP. OBER: Yes.

REP. FORD: Representative -- Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. FORD: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. FORD: Senator Kahn.

SEN. KAHN: Yes.

REP. FORD: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. FORD: Senator Morse.

SEN. MORSE: Yes.

REP. FORD: And Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. FORD: Thank you. The vote is ten yeases, zero no.

***** {MOTION ADOPTED}**

CHAIRWOMAN WALLNER: Motion passes 10 to zero, and that is the end of our regular items.

(10) Miscellaneous:

(11) Informational Materials:

CHAIRWOMAN WALLNER: And we move now into any Miscellaneous that might be out there. I know of none so passing on to informational items. Are there informational items that members would like to discuss? If there are, alert me to those.

MS. REED: Ma'am, Senator Kahn has his hand raised.

CHAIRWOMAN WALLNER: Yes, Senator Kahn, which item would you like to discuss?

SEN. KAHN: Thank you, Madam Chair. 065, HHS information item.

CHAIRWOMAN WALLNER: Yes, okay, 065. Any further items?

MS. REED: Ma'am, Senator Rosenwald has her hand raised.

CHAIRWOMAN WALLNER: Yes, Senator Rosenwald.

SEN. ROSENWALD: Yes, in addition to 065, I would like to ask some questions about 067.

CHAIRWOMAN WALLNER: And 067. We will have some discussion on that one. Further? Further items that people would like to have discussions on?

Okay. Let's start with Item 20-065. And both of these items that are up for discussion are Health and Human Service

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items. And I believe Senator Kahn asked for 14 -- asked for 065 for some discussion. So could we have someone from the Department come up and answer Senator Kahn's question? Thank you. Senator Kahn.

SEN. KAHN: Thank you, Madam Chair, and thank you to the Department for taking these. So this is a pretty significant move of dollars Commissioner's Office, and coming from at least a couple of places where I'd like to understand how the dollars are available at this time, and are we anticipating backfill from federal money into these areas and, you know, the most concerning, I think, for me is the homelessness and housing shelter program. So if the Department can explain that, why dollars are being transferred at this time, the other dollars as well and intended is for the 14 million that will be at the Commissioner's disposal. Thank you.

MS. ROUNDS: This is Kerrin Rounds. So there are several questions there and I think, first, I'll give a broad overview and then go into some of those answers, and then I think the Commissioner might have some information to add.

So, obviously, when the COVID crisis hit, it was somewhat unexpected and we knew that we were going to need substantial funding to be able to support it in various ways; but as you've heard many times the Governor speak to a primary cost right now is acquiring personal protective equipment. So that has been something that we want to make sure that we have funds available to be able to acquire as needed.

We do hope that the federal stimulus dollars will be able to backfill these dollars and that this will not be a hundred percent General Fund expenditures. And I would say that these are not funds that are at the Commissioner's disposal. They are still funds that go through the normal process of DAS, Department of Administrative Services approving them. Some of them are spent using contracts. And, in addition to the federal stimulus dollars, we'll also be looking at what FEMA will be able to reimburse us for.

MS. SHIBINETTE: So this is the Commissioner. So I just want to add in that right now, you know, our focus is maintaining our current operations to the best of our ability. You know, some of that is proving to be challenging. We have -- we have several department staff working from home. We've had lower caseloads for obvious reasons. We have our constituents are staying home. But then we've had this tremendous need around the COVID crisis, both purchasing PPE, ramping up testing, being able to contract with providers to be able to provide services and testing. All of those things needed to happen immediately. And so trying to work through developing some of the programs that we were hoping to develop prior to COVID-19 is not something that we have the resources or the personnel to do right now.

SEN. KAHN: And so --

CHAIRWOMAN WALLNER: Yes, further question, Senator Kahn.

SEN. KAHN: Thank you, Madam Chair, for letting me follow. That may be another question. But let me narrow in on that housing shelter. I know that there are, and I'm sure you're quite aware that the housing shelters have needed to open up auxiliary locations during the crisis and that's great because keeping people separate, I'm sure, is a major part of the plan. How does that -- that's what the 1.7 million reduction to housing, housing shelter, homelessness just doesn't quite reconcile to that scenario. And could you help us understand? Is that anticipated with some federal backfill or is there really an over budget of General Funds there?

MS. ROUNDS: I don't think you can really make a correlation between where we transferred funds from and what we're going to be or already are contracting for that's related to COVID. Those funds were funds that were identified that were available because of the Continuing Resolution that contracts that were planned had to be delayed. So those -- that's how those funds were identified.

MS. SHIBINETTE: So your question about homelessness and shelters, we've done a ton of work around those areas as it relates to COVID. So, for example, we need to set up and we're in the process of setting up a quarantine shelter for those that are unsheltered. Those are unsheltered people that have been exposed to COVID or have mild symptoms and are COVID positive, and they need a safe place to quarantine or isolate so that they're not walking around the communities. And then, also, a decamp shelter which is really just an auxiliary shelter that we're able to take some unsheltered people from the shelters around our state to create some social distancing so we don't create a situation where we have COVID really go through a population because they're in an overcrowded shelter.

So we're doing both of those and we're working with all of our communities and our shelter providers to ramp up. We've, you know, some areas have decided to, you know, bring some services to some of the places that our unsheltered people tend to congregate. So we're doing a lot of things around that area as it relates to COVID.

SEN. KAHN: May I follow-up, Madam Chair?

CHAIRWOMAN WALLNER: Yes, please do.

SEN. KAHN: What will be the source of reimbursement to local communities for setting those up?

MS. SHIBINETTE: So the plan right now is to tap into several different funding sources. FEMA is one. CDC provided us with a grant early on. And then, obviously, the federal money that is coming our way. So we don't have guidance on all of those areas yet, but one of those funding areas will be used.

SEN. KAHN: Thank you for that. And, Madam Chair, one more question.

CHAIRWOMAN WALLNER: Yes. Yes, Senator Kahn.

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SEN. KAHN: I heard in your suggestion for the application of the \$14 million at the Commissioner's Office that some of those dollars are going to PPE equipment, some of those will go to outside vendors and outside contracts for other services to be performed. Given that we've got Fiscal Committee meetings set up, looks like every couple weeks down the road, are those contracts that are -- will they be coming back to Fiscal Committee if they exceed certain limits for further understanding? Thank you.

MS. ROUNDS: Contracts would typically go to Governor and Council, not the Fiscal Committee.

SEN. KAHN: Some of those -- none of those would come to the Fiscal Committee? If that's the Chair's understanding, I'll take that answer. Thank you for addressing my questions, my concerns around these dollars. I do hope that we see those Federal funds able to backfill for those local expenses. Thanks for your answers.

CHAIRWOMAN WALLNER: Further questions of the Department around this item?

MS. REED: Ma'am, Senator -- Senator Rosenwald has her hand raised.

CHAIRWOMAN WALLNER: Yes, Senator Rosenwald.

SEN. ROSENWALD: Thank you, Madam Chair. And I'm very happy to hear the Department express the hope that stimulus funds will be able to backfill these budget cuts. Like Senator Kahn, I share the concern about homeless services, and I know that the Secure Psych Unit was something there was a lot of agreement on. I do have a specific question about the first part of this item and that is the \$4 million transfer out of Rural Health and Primary Care. What specific programs are you transferring \$4 million out of? What's the impact?

MS. ROUNDS: The Student Loan Repayment Fund, and the impact is that we're maintaining the current contracts that existed prior to now.

SEN. ROSENWALD: Okay. Thank you. And a more general question sort of following up on Senator Kahn's. Does the Department have concerns that because this transfer and the next one haven't gone through the statutory requirement of being approved by Fiscal that there -- they might not be -- the contracts might not be valid in the end?

MS. SHIBINETTE: This is Commissioner Shibinette. I would defer to the Department of Justice to answer questions like that. We're taking our direction from the Department of Justice in regards to what we have the statutory authority or ability to do under the state of emergency.

SEN. ROSENWALD: Madam Chair, may I follow-up on that, please?

CHAIRWOMAN WALLNER: Yes. Yes, Senator Rosenwald.

SEN. ROSENWALD: Thank you. Is there written guidance that you have from the Department of Justice on this?

MS. SHIBINETTE: I do not have written guidance; but the Department of Justice either assists with us or consults with us in the Emergency Operation Center daily.

SEN. ROSENWALD: Thank you.

CHAIRWOMAN WALLNER: Further discussion or questions around this item? Seeing none, we'll move on. This is just an -- this is an informational item. It came in under informational. So we do not vote on this item.

MS. REED: Ma'am, Senator Soucy -- Senator Soucy has her hand raised.

CHAIRWOMAN WALLNER: Yes, yes.

SEN. PRESIDENT SOUCY: Thank you, Madam Chair. I just wanted to take this opportunity not related to the very specific detail of this item, but to thank the Commissioner and Miss Rounds for participating with us today; but even more importantly for the work they are doing, along with their staff, around the clock in dealing with this crisis here in our state. So I didn't know if I'd have an opportunity otherwise so I wanted to just take this moment to say thank you on behalf of all of us and people in the state, and we do appreciate everything that's happening.

CHAIRWOMAN WALLNER: Thank you, Senator Soucy. And I know that all of the Members of the Fiscal Committee share your sentiments and really our greatest thanks to the Department and all the work they're doing. We know how difficult this situation is. And we do have one more informational item that Senator Rosenwald has asked to have some discussion about and that is 20-067.

SEN. ROSENWALD: Yes, thank you. Just curious what -- what does it mean that this money is going to the Commissioner's Office? What is the plan for spending it?

MS. ROUNDS: So this is -- this is Kerrin Rounds. The Accounting Unit that we have moved these funds to is the same as the other informational item. It's the Accounting Unit that actually houses all of the finance and contracting staff and our administrative expenses. So we created a class line within that Accounting Unit to ensure that we were spending all of the COVID-related expenditures, other than the expenditures that are already related to the grant that we accepted at the last Fiscal Committee meeting out of one area and being able to track it in a very uniformed way.

CHAIRWOMAN WALLNER: Further questions? Seeing no further questions. We do not need to vote on this item. So unless there are questions.

MS. REED: Ma'am, Senator Kahn has his hand raised.

CHAIRWOMAN WALLNER: Senator Kahn, yes.

SEN. KAHN: Thank you, Madam Chair. Commissioner, just wanting to get a little understanding about the demand on the New Hampshire Hospital, the backlog. I think I've understood that during this period the demand has not been as great. We've seen the backlog decrease. But those are sort of general statements and maybe you've got something that's a little more enlightening than what I heard previously. Thank you.

And, again, I totally agree with the sentiments expressed by Senator Soucy; but address that long-standing concern that we've had about that I'd appreciate it. Thank you.

MS. SHIBINETTE: So very early on in the COVID crisis we, the Department, you know, really looked at what things that we could influence and change for the hospitals to make sure that they are at their peak performance if we had a surge or a run on our health care system due to very ill people in COVID. So we identified a couple of things and one was making sure that we remove our New Hampshire Hospital Waitlist folks from the ER.

So we created a plan with the help from our folks from Hampstead Hospital. We were able to expedite the transfer of the children services down to Hampstead, which was in the works and had been planned for the end of March and early April. So what we did is we moved them very early in March, which emptied an entire unit which we then created double occupancy on that unit, so increasing our adult capacity by 24 beds and even up to 36 beds. And we emptied the ER, all the ER. So we wanted to make sure that those folks weren't sitting in the middle of a COVID crisis.

So those people now we've gotten to zero several times. We still fluctuate one, two, three people in the ER and usually that's waiting for medical clearance. I don't think that we're going to be able to sustain it long-term. The units that they're

on are set up for kids, not adults; but in this very unprecedented time, we felt it was in their best interest to be in New Hampshire Hospital rather than the ER. So we made those transfers and we're ready to do additional, if we need to, to make sure that the hospital is not contending with a high ER boarding life.

CHAIRWOMAN WALLNER: Further questions.

SEN. KAHN: If I just follow this. I mean that sounds like a plan that we heard previously and great to hear that it's working to fill needs as they arise. It's very promising.

Chair, just back on this action or informational item. It does seem that these normally come to the Committee as transfer items. Is this something that should be acted upon by the Committee just to reinforce the actions of the Department and provide Fiscal Committee approval? And could we do that immediately or do we think information is sufficient, but does seem like an approval item.

CHAIRWOMAN WALLNER: Thank you, Senator Kahn. I'm actually going to ask Michael Kane, the Legislative Budget Assistant, to maybe weigh in on that for me at this point.

MICHAEL KANE, Legislative Budget Assistant, Office of Legislative Budget Assistant: Sure. So not only is approval not needed, because it is an action that has occurred under the Governor's powers in an Executive Order, but because the Governor has already exercised his power, there is nothing for the Committee to act on. So an action could not be taken by the Committee on this item because the Department has not submitted anything to the Committee to act on, if that helps.

CHAIRWOMAN WALLNER: Thank you, Mr. Kane. That was helpful. So we have come to the end of our agenda for today.

MS. REED: Ma'am, I'm sorry. Senator Rosenwald has her hand raised.

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CHAIRWOMAN WALLNER: Okay. Representative -- Senator Rosenwald. Sorry.

SEN. ROSENWALD: Thank you very much. And this is not -- this is a general question because we have Kerrin and the Commissioner with us and let me second the sentiments of Senator Soucy. We know how hard you guys are driving yourselves.

I read in the paper this morning that Lakes Region Hospital was granted five and a quarter million dollars from the \$50 million Emergency Health Care Fund, and so I'm wondering if this was a loan or a grant and whether other funds have been approved for other hospitals around the state? And, also, finally, when -- when and how will the Department make this information about distributions from the fund available publicly?

MS. ROUNDS: Thank you, Senator. This is Kerrin. So the Committee continues to work on distribution of those funds; and I am actually serving on that Committee with four other members from the Department of Health and Human Services, Department of Revenue, and the Attorney General's Office. That -- that first award has been made. It is a loan with an ability for it to be forgiven, but it is a low interest loan. I would expect that additional awards will be made as soon as early next week and continue on for several weeks as the Committee continues to review the applications. As was provided publicly, there were several hundred applications so there is a lot of work that the Committee is undertaking to do that.

SEN. ROSENWALD: Thank you. And the second part of my question, does the Department have a plan for how the information will be released to the public as the grants or loans are made?

MS. ROUNDS: So that information will be released through the Governor's Office as I believe in the Executive Order they are the final approval of those grants or loans.

(Unknown voice laughing.)

CHAIRWOMAN WALLNER: Further discussion? Questions?

MS. REED: Ma'am, Senator D'Allesandro has his hand raised.

CHAIRWOMAN WALLNER: Yes, Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you, Madam Chairman. I think -- thank you, Madam Chairman. And, A, I want to reinforce Senator Soucy's comments about the work that's been done by everyone. Kudos to everyone. New Hampshire's done a great job and under the most difficult of circumstances. So I think that's a wonderful thing and something that we can be proud of.

With regard to these loans, that's a General Fund appropriation, and we should be receiving information about who gets the loan because that's public money that's being given out and there should be a record of that. I think that's an imperative.

But I wanted to just make a statement, if I might, Madam Chair --

CHAIRWOMAN WALLNER: Yes, of course.

SEN. D'ALLESANDRO: -- about the value of the Fiscal Committee and the fact that the role that the Fiscal Committee plays is so important to the process and so important to receiving information, and in this case receiving Federal funds, making sure that they're received and appropriated properly. We have a significant role to play by statute. That's why the Fiscal Committee was created. Remember, I was in the Legislature before they had a Fiscal Committee.

(Unknown voice laughing.)

Indeed, a wonderful improvement as we move forward. The item accepted for the meals is a perfect example of how the function -- functionality works. The money comes in, accept and spend. That's the way it should be done. I think it's the perfect example. It was done properly to get the money out and that's why we function. And you in your initial statements clearly stated the statutory responsibility, stated the RSA. We will meet whenever necessary and, indeed, that's the key, whenever necessary to make decisions that are important for the people of the State of New Hampshire.

I couldn't agree with anything more. I thought your articulation was right on, right to the point and makes the point that we're all in this together, and we must cooperate with one another. We have a process in place. Let's use it and let's take advantage of it. Thank you very much, Madam Chair.

CHAIRWOMAN WALLNER: Thank you, Senator D'Allesandro, and I couldn't agree with you more as to the role of the Fiscal Committee. The Fiscal Committee has a very important role to -- to monitor what happens with Federal funds, General Funds, the funds that are put into our state for expenditures for our citizens. And I think the general -- I think the Fiscal Committee is a very transparent operation. People understand what the Fiscal Committee does. The general public has some understanding of it. Certainly, the agencies do, and I know that legislators understand how the Fiscal Committee works. So it is a good -- a good vehicle for bringing money into our state as this COVID-19 crisis continues to unfold.

The next thing I'd like to talk a little bit about is the plans. I think Senator D'Allesandro did hit upon something and I think it's very important. The Fiscal Committee can meet any time the Fiscal Committee wants to call a meeting. The -- as Chair I will call emergency meetings any time that it seems like there's items that need to come before us. So we're not-- we are not set in just having monthly meetings. We can have more than -- more than one or two or three or four meetings a month. We can meet as often as is necessary. And I've actually set for

us on April 20th, which is a little more than a week away, it's a Monday, on April 20th we will meet, and I've asked the Legislative Budget Assistant to be able to be ready to brief us on the federal guidelines around the use of the \$1.25 billion in Coronavirus Relief Funds. So that will be a briefing by the Legislative Budget Assistant around the -- around those funds. He will follow very closely what's happening if we don't have all the guidance at that point. He will -- he will provide information to us, the most up-to-date information that he has.

We will also use that meeting to entertain requests for the acceptance and expenditures of Federal Coronavirus Response Recovery and Relief Fund made available to the state at that time. So if there are additional funds that need to come into the state around Coronavirus, we will accept those items and act on them that day.

I would also like to add to that. We were just going to limit it to Coronavirus items, but I do want to add to that the item from the Judicial Council. Miss Blodgett, if she needs to come back, if she finds that she does need or if she finds more information, she needs to come back that I would like to make that meeting available to her, also.

Then we would continue to have our regular scheduled meeting on May 8th for any department, all departments to bring forth -- to bring forth items; but I do want to make it very clear that if we need to come back sooner, if we need additional meetings, I hope I speak for all the Members of the Fiscal Committee in saying that we will be here, and we will continue to take our role very seriously and do the business of the state. And at this point, I put the Committee in recess and we will come back on April 20th, 2020.

SEN. D'ALLESANDRO: Thank you, Madam Chair.

REP. LEISHMAN: Stay well.

REP. FORD: Yes, thank you.

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SEN. ROSENWALD: Thank you.

SEN. D'ALLESANDRO: Thank you, thank you. Thank you, everybody.


CHAIRWOMAN WALLNER: Thank you, guys. You did great! Everybody was great. Thank you.

SEN. D'ALLESANDRO: Thank you.

(The audio conference call concluded at 11:47 a.m.)

CERTIFICATION

I, Cecelia A. Trask, a Licensed Court Reporter-Shorthand, do hereby certify that the foregoing transcript is a true and accurate transcript from my shorthand notes taken on said date to the best of my ability, skill, knowledge and judgment.



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