

JOINT LEGISLATIVE FISCAL COMMITTEE

Legislative Office Building, Rooms 210-212

Concord, NH

Friday, October 20, 2017

MEMBERS PRESENT

Rep. Neal Kurk, Chairman

Rep. Ken Weyler

Rep. Lynne Ober

Rep. Mary Jane Wallner

Rep. Dan Eaton

Rep. Frank Byron (Alt.)

Sen. Gary Daniels

Sen. President Chuck Morse

Sen. Lou D'Allesandro

Sen. Robert "Bob" Giuda (Alt.)

Sen. John Reagan

(The meeting convened at 10:01 a.m.)

**1. Acceptance of minutes of the September 13, 2017 and
September 29, 2017 meetings**

NEAL KURK, State Representative, Hillsborough County,
District #02 and Chairman: Good morning, everyone, and welcome to the October 20th, 2017, meeting of the Fiscal Committee. For the past several meetings, we have scheduled them one month in advance and that's caused some problems for people. So we will revert to our traditional practice of meeting on the third Friday of every month. We will not be meeting in November because of holiday conflict but starting on December 15th and the third Monday (sic) of each month thereafter we will be meeting through and that applies through the end of this Fiscal Year, June 30th. There may be occasions when for reasons we have to change that but that will for planning purposes be the case, and all members have been provided with that notification.

At this time, I'd like to turn to item number one on the agenda, the acceptance of the minutes of the September 13th and September 29, 2017.

****** JOHN REAGAN, State Senator, Senate District #17: Move to approve.

LYNNE OBER, State Representative, Hillsborough County, District #37: Second.

CHAIRMAN KURK: Moved by Senator Reagan and seconded by Representative Ober that both sets of minutes be approved. Discussion? There being none, are you ready for the question? All those in favor, please indicate by saying aye? Opposed? The ayes have it and the minutes are approved.

***** {MOTION ADOPTED}**

CHAIRMAN KURK: At this time, I'd like to welcome Senator Giuda who is substituting for Senator Sanborn.

ROBERT "Bob" GIUDA, State Senator, Senate District #02: Thank you.

LATE ITEM:

CHAIRMAN KURK: Senator, thank you for being here. At this time, without objection, I'd like to take up the late item that came in from Health and Human Services. That's Fiscal 17-190, a request for approval of its application for an amendment for the special terms and conditions for the New Hampshire Health Protection Program Premium Assistance Demonstration Program. Under the statute, I believe it was House Bill --

REP. OBER: 517.

CHAIRMAN KURK: -- 517, Fiscal Committee approval is required for this. Is there someone here from the Department who can discuss this?

DAWN LANDRY, Administrator, Office of Medicaid and Business Policy, Department of Health and Human Services: I'm here. I thought the Commissioner was on his way.

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CHAIRMAN KURK: Please come forward.

MS. LANDRY: Hi. Good morning. My name is Dawn Landry with the Department of Health and Human Services.

CHAIRMAN KURK: Is the Commissioner --

MS. LANDRY: He's on his way is my understanding.

CHAIRMAN KURK: Why don't you start and, hopefully --

MS. LANDRY: This is a request to the Center for Medicare and Medicaid Services to amend the New Hampshire Health Protection Premium Assistance Program Demonstration Waiver to include work requirements.

CHAIRMAN KURK: Ma'am, could you speak into the microphone. Probably eight inches away works. Thank you.

MS. LANDRY: Okay. I'll start again. My name is Dawn Landry from the Department of Health and Human Services. This is a request to our New Hampshire Health Protection Program Premium Assistance Waiver to amend the special terms and conditions to add work requirements as a condition of eligibility for the Premium Assistance Program -- New Hampshire Health Protection Program.

CHAIRMAN KURK: Questions from Members? Did you folks want to wait for the Commissioner before we proceed to vote or you ready to vote at this point?

KEN WEYLER, State Representative, Rockingham County, District #13: We don't have a motion.

REP. OBER: If we don't have a question, we probably could take a motion.

CHAIRMAN KURK: I understand that, but do you want to proceed at this point or would you prefer to wait?

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SEN. REAGAN: Take a motion.

** LOU D'ALLESANDRO, State Senator, Senate District #20: I would move the item.

SEN. GIUDA: Second.

CHAIRMAN KURK: Senator D'Allesandro moves, seconded by Senator Giuda that the item be approved. Is there discussion? Does anyone wish to wait for the Commissioner to be here to explain anything or to respond to any questions?

REP. OBER: No.

CHAIRMAN KURK: Senator Morse, did you have some questions on this item?

CHUCK MORSE, State Senator and Senate President, Senate District #22: No, I'm all set.

CHAIRMAN KURK: There being none, then are you ready for the question?

MARY JANE WALLNER, State Representative, Merrimack County, District #10: Can I --

CHAIRMAN KURK: Representative Wallner.

REP. WALLNER: Thank you, Representative Kurk. I will be voting no on this item. I feel strongly that this is a health program, not a work program. I'm concerned about having this kind of a requirement for people who may have serious health issues and requiring them to work in order to get the health care they need seems inappropriate. This is a health program and not a work program, and I will be voting no.

CHAIRMAN KURK: Thank you. Further discussion? There being none, are you ready -- Representative Byron.

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FRANK BYRON, State Representative, Hillsborough County, District #20: Yes. And I -- just to clarify, I am an alternate so I am not a voting member of the Committee; but I believe that we had earlier asked the LBA, if possible, to compare this to House Bill 517 and to see whether there was this change would comply with what we had stipulated in House Bill 517 for House Bill 2.

CHAIRMAN KURK: Thank you for reminding us. Mr. Kane.

MICHAEL KANE, Legislative Budget Assistant, Office of Legislative Budget Assistant: It does. All the requirements laid out in House Bill 517 are included in this waiver request.

CHAIRMAN KURK: Thank you.

SEN. GIUDA: I have a question.

CHAIRMAN KURK: Senator Giuda.

SEN. GIUDA: If I'm not mistaken, and I have been a few times in my lifetime, there is no requirement for people who are injured or have health problems to meet the work requirement --

REP. OBER: That is correct.

SEN. GIUDA: -- of the legislation. I want to make that clear.

CHAIRMAN KURK: Representative Ober.

REP. OBER: That is correct. There were also provisions for if people are in rehab that consisted serving as part of the work requirement so if you had an addiction problem and you were actively working on becoming sober that was your work requirement. You could volunteer if you were a caregiver of another family member. That was your work requirement. It was a lot more than what the previous speaker actually indicated. Senator Giuda is correct.

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SEN. GIUDA: Thank you.

CHAIRMAN KURK: Further discussion? There being none, are you ready for the question? All those in favor of the motion to approve Fiscal 17-190, please now indicate by saying aye? Opposed?

REP. EATON: No.

REP. WALLNER: I'm opposed.

CHAIRMAN KURK: The ayes have it and the item passes. Thank you, Miss Landry.

MS. LANDRY: Thank you.

*** {MOTION ADOPTED}

(2) Old Business:

CHAIRMAN KURK: We now turn to Old Business. We have some two items on the table. Does anyone wish to remove them from the table?

** SEN D'ALLESANDRO: Remove from the table.

SEN. PRESIDENT MORSE: Second.

CHAIRMAN KURK: Senator D'Allesandro moves, seconded by Senator Morse that the item be removed -- the two items be removed from the table. These are Fiscal 17-114 and Fiscal 17-140. Are you ready for the question? All those in favor -- all those in favor, please indicate by saying aye? Opposed? The ayes have it. The item is removed from the table.

REP. OBER: I am opposed. You didn't let me vote. Thank you. You agreed before I could open my mouth to vote. You just kept talking.

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CHAIRMAN KURK: Let the record reflect that Representative Ober voted against the motion.

REP. WEYLER: Vote 9 to 1.

CHAIRMAN KURK: Therefore, the vote was 9 to 1. Fiscal 17-114 and 140 are now before us. Is there someone here from the -- -- is there someone here from the Insurance Department who can respond to questions?

Good morning, folks. Could you identify yourselves for the record.

ROGER SEVIGNY, Commissioner, Department of Insurance: Good morning, Mr. Chairman, and Members of the Committee. My name is Roger Sevigny, and I'm the Insurance Commissioner. And I will let Jenny introduce herself.

JENNIFER PATTERSON, Director, Bureau of Health Policy and Life, Accident, and Health, Department of Insurance: Good morning, Mr. Chairman, Members of the Committee. My name is Jennifer Patterson. I am the Director of Health Policy and Life, Accident, and Health Market Conduct.

CHAIRMAN KURK: Thank you for being here. Senator Daniels is recognized for a question.

GARY DANIELS, State Senator, Senate District #11: Thank you. I will state that I met with members of the Department to go over issues that we had discussed at the last time and information that we had requested. They have provided a lot more information for us this time and I thank you for that. In just reviewing what we had though, there's just a couple things I want to note and had questions on.

On Page 7 of the documentation that you gave us indicated that the Department had received a steady stream of complaints involving coverage for addiction treatment services or mental health treatment. But then on Page 8 you mention that there have been 12 complaints in the last two years. I'm not sure that I

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would classify that as a steady stream. But my question goes more to the point of on those 12 complaints did you actually go out and address each complaint, talk with them or are you trying to incorporate those into an examination and what is the difference between conducting an examination and addressing a specific complaint?

MS. PATTERSON: Yes, thank you for the question, Senator. So these 12 complaints, there's a categorization of inquiries that we received. So these are complaints that rose to the level of being a formal complaint filed with the Insurance Department as opposed to kind of an inquiry. What we do with each of those is we have consumer services staff to work with them to resolve the specific situation. But in addition when we do our analysis to look at what our market conduct staff will look at, we take into consideration the material that we receive, you know, lots of different sources of material. But it includes the nature of the complaints, the magnitude of the complaints, the number of the complaints that we've received. So we do both. We respond to the specific situation of that particular consumer, but we also look at whether it may be indicative of a larger problem in the market that we need to look into through a Market Conduct Exam.

SEN. DANIELS: Follow-up.

CHAIRMAN KURK: Follow-up.

SEN. DANIELS: When you do the Market Conduct Exam, are you going to be looking specifically at the places where violations have occurred or are you doing a much broader examination?

MS. PATTERSON: Thank you for the question. Hum -- the breadth of the exam is limited to the mental health parity requirements; but it does look broadly at practices that carriers may be undertaking that could play into that. So, for example, one of the things that we really wanted to look at during the last ramp of exams was a numeric comparison of the denial rates of the different carriers. We did not receive complete information from one of the carriers, and so it's critically important for us to be able to look really at the

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aggregate level about people are being treated. So things like that, you know, it's narrow in scope in terms of the subject matter, but it is broad in terms of encompassing all of the carriers' practices that relate to the area of review. And in this case it would be compliance with the mental health parity law.

SEN. DANIELS: Thank you.

CHAIRMAN KURK: Further question.

SEN. DANIELS: Just, finally, I know this is the third time this has come before us and, regretfully, it has taken this long. But I would just hope in the future, and I will support this going forward, I just hope in the future that the exercise that we have gone through in the three meetings here can be taken up in one so that you would provide to us comprehensive information on which we can make a decision first time around, and I think it would save everyone a lot of time.

MR. SEVIGNY: Thank you, Senator. That's really good feedback and we will certainly take that back with us. Thank you.

SEN. DANIELS: Thank you.

CHAIRMAN KURK: Representative Ober.

REP. OBER: I think we now are in agreement you've had 12 complaints; is that correct, per your documents that you've submitted?

MR. SEVIGNY: Right.

REP. OBER: That's kind of a yes or no. I just want to be sure that I heard Senator Daniels read from your documents. He read correctly; is that true?

MR. SEVIGNY: He did read it correctly.

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REP. OBER: Okay. Thank you. How many people have been treated; a hundred, a thousand, 2,000?

MR. SEVIGNY: I don't know that we have the number of people that have been treated. We don't maintain a log on people who get treatment.

REP. OBER: So, Commissioner, would it be fair to say we don't know how many people have been treated. If we had only a hundred people in the State treated for this, then we could say 12% of the people had complained. But if we have a thousand people, that percentage goes down. If we have 2,000 people that percentage goes down a lot. I'm trying to figure out why we call 12 complaints many when we don't know how big the population is. Because that was part of the confusion as we tried to read through here was what is the population? What are we dealing with? What are you really giving us and that's been, as Senator Daniels articulated, the question we've all had as we've struggled to deal with this. And I, really, I have to tell you I don't characterize 12 as many unless 100 people are all that we've treated in the state over the period of time, and I think that's very low.

MR. SEVIGNY: Would you like an explanation of how we capture complaints and where else we get information or are you satisfied with what you have?

REP. OBER: Well, you told us we had 12 complaints. If you told us the truth, I'm satisfied with that, sir.

MR. SEVIGNY: That's right. Thank you.

REP. OBER: I'm trying to figure out why with a percentage, I think, is very low, probably much less than the half of one percent for the complaints, we've had all this struggle trying to get the real data.

MR. SEVIGNY: Can I explain to you the difference between what you see before you as a formal complaint and other processes that we have to identify issues or do you not care?

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REP. OBER: I'm really trying to deal with the paperwork we got, and why we had so much confusion, and why it wasn't clear based on what you sent us, sir. Because like Senator Daniels, I would like not to have three meetings to deal with one small item in the future and the paperwork was just very confusing.

MR. SEVIGNY: Right. Then is it clear now?

CHAIRMAN KURK: In the future if you're giving us this kind of information, could you also give us the percentage so that we understand how significant 12 is versus the total number of services provided?

MR. SEVIGNY: Yes, and we probably should go into what the complaint process is, whether formal versus telephone inquiries, versus behavioral health and addiction--

CHAIRMAN KURK: At some future time.

MR. SEVIGNY: -- for the Committee. We have many, many processes.

CHAIRMAN KURK: That would be very helpful, but for now I think we are satisfied.

MR. SEVIGNY: Thank you.

CHAIRMAN KURK: Further discussion? Senator Morse.

** SEN. PRESIDENT MORSE: I move ought to pass on Item 114 and 140.

REP. EATON: Second.

SEN. D'ALLESANDRO: Second.

CHAIRMAN KURK: Moved by Senator Morse, seconded by Representative Eaton items Fiscal 114 and 140 should be approved. Further discussion? We ready for the question? All

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those in favor, please indicate by saying aye? Opposed? The ayes have it and the item is approved, both items are approved.

*** {MOTION ADOPTED}

MR. SEVIGNY: Good. Thank you very much, Mr. Chairman. Thank you.

MS. PATTERSON: Thank you.

CHAIRMAN KURK: We appreciate -- although it took a lot of time, we appreciate the information that you provided us.

MR. SEVIGNY: And we appreciate the thoughtful approach you've taken. Thank you.

CONSENT CALENDAR

(3) RSA 9:16-a, Transfers Authorized:

CHAIRMAN KURK: We turn now to item number three on the agenda. This is the Consent Calendar under RSA 9:16-a. There is one item, 17-175, a request from the Department of Health and Human Services for authorization to transfer \$1,794,295 in General Funds through the end of June 30th, 2018.

** SEN. D'ALLESANDRO: Move the item.

REP. OBER: Second.

CHAIRMAN KURK: Senator D'Allesandro moves, seconded by Representative Ober that the item be approved. Discussion? There being none, are you ready for the question? All those in favor, please indicate by saying aye? Opposed? The ayes have it and the item is approved.

*** {MOTION ADOPTED}

(4) RSA 9:16-c, I, Transfer of Federal Grant Funds:

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CHAIRMAN KURK: We turn now to item number four on the agenda, two items under the Consent Calendar, RSA 9:16-c. These are Fiscal 17-167 and Fiscal 17-168. Is there a motion?

** REP. OBER: Move approval.

SEN D'ALLESANDRO: Move approval.

CHAIRMAN KURK: Representative Ober moves to approve, seconded by Senator D'Allesandro. Discussion? There being none, are you ready for the question? All those in favor, please indicate by saying aye? Opposed? The ayes have it and the items are approved.

*** {MOTION ADOPTED}

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

CHAIRMAN KURK: Turning now to Tab 5 on the agenda, this is another Consent Calendar item with, I believe, ten or so items. Does anyone wish to remove any of those items from the Consent Calendar? There being none --

REP. OBER: I thought there was some questions on some of these items. Did LBA get answers for us?

MR. KANE: The Department -- I believe we had some questions on Health and Human Services relative to the classes for the laptops and cell phones that they are able to answer today if you have those questions.

REP. OBER: I would like to have those answered.

CHAIRMAN KURK: Then let's do each of these individually because Health and Human Services are most of the items.

Turning now to Fiscal 17-163, a request from the Department of Health and Human Services for authorization to accept and

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expend \$215,302 in Federal funds through June 30th, 2018. Is there someone from the Department who can answer questions on this? Representative Ober, I take it you have questions on this one?

REP. OBER: I think we had questions yesterday in pre-Fiscal and I didn't have all the information.

REP. EATON: Software.

REP. OBER: I'd be happy to -- if you look at page --

CHAIRMAN KURK: Senator Daniels does have a question. Senator Daniels.

SEN. DANIELS: Thank you. Just a question regarding what is the --

CHAIRMAN KURK: Excuse me. Before you ask your question, would you folks identify yourselves for the record. Thank you.

BETH DALY, Bureau of Infectious Disease Control, Division of Public Health, Department of Health and Human Services: Good morning, Mr. Chairman, and Members of the Committee. My name is Beth Daly, D-A-L-Y, and I'm the Chief of the Bureau of Infectious Disease Control in the Division of Public Health.

DOLORES COOPER, Financial Manager, Division of Public Health, Department of Health and Human Services: Good morning. And I'm Dolores Cooper, the Division's Financial Manager.

CHAIRMAN KURK: Thank you both for being here. Senator.

SEN. DANIELS: Under the National Syndromic Surveillance Program is this surveillance done on diseases or individuals or individuals involved in that surveillance? And I understand this is data sharing. So my question specifically is information on individuals being shared with others.

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MS. DALY: So the data that is shared with our national partners is de-identified data that comes from hospital emergency department data systems in New Hampshire. So it's aggregated data that does not contain identifiers. We do receive the data in a line-listed format from the emergency departments and we use the data to monitor various potential threats for infectious diseases but also other Public Health threats, like we're using the data to monitor the opioid epidemic currently in New Hampshire.

CHAIRMAN KURK: If I may? Does that -- you said de-identify. Do you get identifiable data from the hospitals?

MS. DALY: The data that we collect is authorized under by law and administrative rule. And the only identifier that we get that is considered a HIPAA identifier is the medical record number, which allows us to go back to the hospital to collect future identifiers if we need it. For example, if we detect a reportable infectious disease like meningitis, then we can go back to the facility for follow-up and ask them who the actual individual is because that's required to be reported to us by law.

CHAIRMAN KURK: Thank you. Representative Ober.

REP. OBER: Did you bring with you the adjustments to the budget for the items that were incorrectly identified in the document you gave us? For example, you have on Page 2 funds in Class 24. Class 24 is maintenance other than buildings and grounds. You have listed under there and purchase of 2016 Windows server licenses, which is a piece of software and, as you know, Class 37 and Class 38 are set up for software acquisition and hardware acquisition. So that should definitely not be budgeted in Class 24.

And then the next paragraph Class 30, which is officially known as equipment for new replacement, you have in there the purchase of servers multiple which should, again, be in the class appropriate for computer hardware and a server rack which

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would be appropriate for Class 30, which is other equipment other than software.

So we wanted to see this budgeted according to DAS guidelines for class lines. And there was -- that's what we asked Mr. Kane to get from you reasons why you put software purchase into maintenance for other than buildings as opposed to the software line?

MS. COOPER: Yes, thank you for that question.

CHAIRMAN KURK: Could you speak into the microphone, please, so folks can hear you.

MS. COOPER: Sure. When the question came back to the office, I did look at the budget Manual for the descriptions of the class codes, and there is an object code in Class 24 that historically we have used for the software licenses, which is software licenses, maintenance non-desktop. So I think it was, you know, in a historical format that we were using. Now that I've read the 37 and 38 to try to align all IT services in classes that can be easily identified I understand the question, and we would be willing to move those items to those classes. We just wouldn't want to hold up the item.

REP. OBER: 37 and 38 came into effect two budget cycles ago. So you're correct historically there wasn't a place for that. But starting in '15 there became a place for it. And we are -- and I think the new DoIT Commissioner is trying to get a real handle and be able to support everything and make sure everything gets purchased accordingly working very closely with his counterparts in DAS. So I kind of hoped you would come today with an updated document to give us actually.

MS. COOPER: Okay.

CHAIRMAN KURK: Mr. Kane, can we approve this item subject to making those changes in the lines in which those particular items appear?

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MR. KANE: Yeah. And just to clarify because Dolores does have the -- it's an allowable use of that object code. If the Committee would wish to have the Department re-allocate the equipment and software licenses to 37 and 38, if you just direct them to do so that would be appropriate.

CHAIRMAN KURK: Thank you. Representative Ober is recognized for a motion.

** REP. OBER: Thank you, Mr. Chairman. I would move the approval of Fiscal 17-163 with the caveat that items from 24 and 30 be appropriately re-budgeted in Classes 37 and 38.

SEN. GIUDA: Second.

CHAIRMAN KURK: Seconded by Senator Giuda. Discussion? Questions? There being none, are you ready for the question? All those in favor, please indicate by saying aye? Opposed? The ayes have it and the item is approved.

*** {**MOTION ADOPTED**}

CHAIRMAN KURK: Thank you both very much. I wouldn't go too far.

We now turn to Fiscal 17-169, another request from the Department of Health and Human Services for authorization to accept and expend \$109,686 in Federal funds through June 30th, 2018.

REP. OBER: Mr. Chairman.

CHAIRMAN KURK: Are there questions?

REP. OBER: I would --

CHAIRMAN KURK: Representative Ober.

REP. OBER: I would make a comment that this item needs the same motion as the previous item because on Page 2, again, we're

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using maintenance instead of what we should have for Classes 37 and 38.

CHAIRMAN KURK: Would you care to make a motion Representative Ober?

** REP. OBER: If there are no additional questions from my colleagues, I would move that we approve this with the same caveat that we redistribute to 37 and 38.

SEN. GIUDA: Second.

CHAIRMAN KURK: Seconded by Senator Giuda. Discussion? There being none, are you ready for the question? All those in favor, please indicate by saying aye? Opposed? The ayes have it and the item is approved.

*** {**MOTION ADOPTED**}

CHAIRMAN KURK: We turn now to Fiscal 170, request from the Department of Justice for authorization to accept and expend \$283,958 in Federal funds through June 30th, 2018. Is there a motion?

** REP. EATON: Move approval.

CHAIRMAN KURK: Approval moved by Representative Eaton.

REP. OBER: Second.

CHAIRMAN KURK: Seconded by Representative Ober. Discussion? There being none -- Representative-- excuse me -- Senator Giuda.

SEN. GIUDA: I wonder if there's a representative from the Department?

CHAIRMAN KURK: Is someone here from the Department of Justice?

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ANN RICE, Deputy Attorney General, Department of Justice:
Good morning, Mr. Chair. I'm Ann Rice, the Deputy Attorney
General, and with me is Kathy Carr, Director of Administration.

CHAIRMAN KURK: Good morning to both of you. Senator Giuda
has a question.

SEN. GIUDA: Thank you, Mr. Chairman. Thank you for coming
forward. My question is I see the purchase of 12 machines. Have
you figured where they're going to go?

MS. RICE: My understanding is that these are to replace
machines that are aging out, and they have not identified all of
the specific locations yet. But there are places, as I
understand it, that already have machines and just need
replacement.

CHAIRMAN KURK: Follow-up.

SEN. GIUDA: Would -- would you know if these are going one
to each county or some will be allocated through all the
counties in the state?

MS. RICE: My understanding is that the counties have these
machines; but the ones that are in counties right now are not
ones that have aged out. So these are not specifically slated
for the counties.

SEN. GIUDA: Thank you.

CHAIRMAN KURK: Representative Ober.

REP. OBER: Give us some examples of where they would be
going, because I don't think we know where they are.

MS. RICE: These would go to local and county law
enforcement facilities. So county correction facilities. State
Police has some. Manchester Police Department. They're larger
departments where there's lots of arrests so that they need to

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have this kind of machine to transfer the fingerprint identification.

(Chairman Kurk left the Committee room.)

REP. OBER: So given that the county equipment is okay, I think you said earlier we are probably looking sending these out in local police departments and maybe one in the State Police. Would that be fair to say?

MS. RICE: I think that's probably fair to say. I just don't have specific locations.

REP. OBER: That's okay. I didn't know where they were.

MS. RICE: Hm-um.

VICE-CHAIRMAN DANIELS: Any further questions? Seeing none, is there a motion?

REP. EATON: Already got it.

REP. OBER: You have a motion.

VICE-CHAIRMAN DANIELS: Motion is to approve. All those in favor of that motion say aye? Opposed nay? Ayes have it. The motion carries.

***** {MOTION ADOPTED}**

MS. RICE: Thank you.

MS. CARR: Thank you.

****** REP. EATON: Move approval for 171.

VICE-CHAIRMAN DANIELS: Senator -- excuse me.
Representative --

REP. EATON: Eaton.

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VICE-CHAIRMAN DANIELS: -- Eaton, thank you, moves approval of 171. Is there a second?

SEN. D'ALLESANDRO: Second.

VICE-CHAIRMAN DANIELS: Second by Senator D'Allesandro. Discussion? Seeing none. All those in favor say aye? Opposed nay? Ayes have it. Motion carries.

***** {MOTION ADOPTED}**

VICE-CHAIRMAN DANIELS: 174.

****** SEN. D'ALLESANDRO: Move approval.

VICE-CHAIRMAN DANIELS: Senator D'Allesandro moves approval of 174. Is there a second?

REP. EATON: Sure.

VICE-CHAIRMAN DANIELS: Second by Senate -- Representative Eaton. I'm going to make you a Senator yet.

REP. OBER: I have a question.

VICE-CHAIRMAN DANIELS: Further discussion? Representative Ober.

REP. OBER: I have a question. On Page 2 it says to provide tool for evaluating music and memory program within the facility. Could we know what kind of a tool that we are talking about that would evaluate this?

VICE-CHAIRMAN DANIELS: Someone from the Department that could answer that question?

REP. EATON: Come on up.

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MICHAEL FLEMING, Supervisor, Office of Program Support, Department of Health and Human Services: Good morning. I'm Michael Flemming from Health Facilities Certification.

VICE-CHAIRMAN DANIELS: Good morning.

REP. OBER: Representative Byron is now filling in for Representative Kurk.

VICE-CHAIRMAN DANIELS: Okay. Representative Byron will be filling in for Representative Kurk. Thank you. Get the question?

MR. FLEMING: Yes, please repeat the question.

REP. OBER: Page 2 of your explanation in the bullet item, the second from the bottom is one of the goals. It said to provide a tool for evaluating music and memory program within the facilities, and I was curious what kind of a tool that would be, what you're looking for? How you would evaluate this?

MR. FLEMING: We are going to be evaluating this through a survey process to see how the residents benefit from this program with regard to decreases in any psychotic medications, decreases in behavior and decreases in depression.

VICE-CHAIRMAN DANIELS: Further questions? Seeing none.

REP. EATON: Senator.

REP. WEYLER: Representative Byron.

VICE-CHAIRMAN DANIELS: Representative Byron.

REP. BYRON: This money is money that was carried forward from a prior year grant. Were there other projects or other consideration made to the use of this money rather than this program? And, if so, what was that?

MR. FLEMING: The Civil Money Penalty Fund has been there for -- I've been in my position 12 years, it's been there longer

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than that. We've only used money one time. It's about five years ago. The process basically is the providers come up with ideas for things that will benefit their residents, and CMS then has to look at that idea. They first send it to us and if it meets the general criteria, we'll send it forward to CMS and they either approve it or they do not approve it.

At this point in time, as I said, four or five years ago there was a couple of projects that were sent to CMS. They denied all of them except one. We went forward with that project and this is the next project that has come up on the table. We have been watching this program across the country. Very, very successful. CMS has approved it in every state that has asked for it and it has a great benefit for our residents. Also, there has been some discussion at CMS that if states don't use their Civil Money Penalty Fund that they will take it back.

REP. BYRON: Follow-up.

VICE-CHAIRMAN DANIELS: Representative Byron.

REP. BYRON: And in terms of this program, if it has an expected result. I did read at least the synopsis of the studies that you used to back this up. What do you estimate the cost savings would be in terms of medication that these patients would be given?

MR. FLEMING: I don't have -- we don't have analysis of the savings for -- cost savings for medication. I don't think analysis has been done in any of the states I've seen. It's really -- it's really more just taking a look at the -- at the benefit to the resident because presently CMS has a drive already on to decrease antipsychotic use in nursing home facilities. So that's already in progress. But this is a very, very strong non-pharmacological approach to also meet the same goal.

REP. BYRON: Thank you, Mr. Chairman.

VICE-CHAIRMAN DANIELS: Further question? Senator Giuda.

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SEN. GIUDA: If I may? A young man on a dairy farm used to play music and the cows would give more milk. I've also said that my wife in her current condition in a facility that treats only acquired brain injury people use the music as an extremely effective measure toward the treatment of people with brain injury. So for that I can speak with some authority.

VICE-CHAIRMAN DANIELS: Thank you. Further discussion? There being none. Motion before us is on Item 174. All those in favor -- excuse me -- in favor of that say aye? Opposed nay? The ayes have it. The motion carries.

*** {**MOTION ADOPTED**}

VICE-CHAIRMAN DANIELS: Item 176, a request of the Fish and Game Department to accept and expend \$2,574,600 in Federal funds through June 30th, 2018.

** REP. EATON: Move approval.

REP. OBER: Second.

VICE-CHAIRMAN DANIELS: Representative Eaton moves approval, seconded by Representative Ober. Any discussion? There being none, all those in favor of the item say aye? Opposed nay?

SEN. REAGAN: Nay.

VICE-CHAIRMAN DANIELS: The ayes have it. The motion carries. One nay?

SEN. REAGAN: No.

VICE-CHAIRMAN DANIELS: We have one nay?

SEN. REAGAN: No.

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VICE-CHAIRMAN DANIELS: Okay. Item 177, a request of Health and Human Services to authorize and accept and expend \$244,172 in Federal funds through June 30th, 2018.

** SEN. D'ALLESANDRO: Move approval.

CHAIRMAN DANIELS: Moved by Senator D'Allesandro. Is there a second?

REP. EATON: Wallner.

VICE-CHAIRMAN DANIELS: Seconded by Representative Wallner. Discussion? Someone here from the Department?

REBECCA LORDEN, Office of Human Services, Department of Health and Human Services: I'm Rebecca Lorden, Office of Human Services, Finance.

ROBERT RODLER, Adolescent Program Specialist, Division of Children, Youth and Families, Sununu Youth Services Center, Department of Health and Human Services: Good morning. Robert Rodler, Adolescent Program Specialist for DCYF.

VICE-CHAIRMAN DANIELS: Good morning. I have just one question as to how you measure success.

MR. RODLER: These are funds that are for youth in foster care between the ages of 14 to 21. So one of the uses is completion of Drivers Ed; another is a vocational program completion, being able to gain employment. We provide work clothes for youth or equipment that they need. Also, we promote engagement in normal -- what's called normalcy. So age and appropriately -- developmentally appropriate activities so we provide money to engage in band. We purchase instruments or to play sports. So we measure it in participation and activities, their ability to be trained for vocational opportunities or ability to gain employment.

There's a second group of funds that are for youth that age out of foster care. So these are youth that are between 18 and

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21. So for those youth we're providing money for rent to prevent homelessness. We're providing funds for clothes, for food. So we try to ensure that through our assistance they don't have to get further public assistance. They can avoid homelessness. They can go on to college. They can be in Job Corps or they can pursue jobs.

VICE-CHAIRMAN DANIELS: Thank you. Any further discussion?
Senator Giuda.

SEN. GIUDA: Thank you, Mr. Chairman. I still haven't heard any metrics of how you measure success with your program. I understand the program. I understand the needs. But I'm not hearing anything about X percentage of our people don't or do. Can you help with that?

MR. RODLER: Sure. We don't have exact metrics in terms of how many youths end up homeless if they don't provide or receive our services. But we know that youth that are receiving our services are able to maintain housing and not be homeless. We do have a longitudinal study that we do surveying kids at 17, 19 and 21. And we are able to get numbers from there that indicate incarceration, homelessness, unemployment, employment. So we analyze the kids that are saying yes to those questions that they haven't been employed and then looking to see if we were able to give them services.

SEN. GIUDA: Thank you.

VICE-CHAIRMAN DANIELS: Representative Weyler.

REP. WEYLER: Thank you, Mr. Chairman. This is the first of a couple items with cell phones. Is this a wider use of cell phones? These people already have cell phones? If we're giving them government provided cell phones, what are the restrictions on them and how do you do it?

MS. LORDEN: Beginning this year with the budget we had historically budgeted cell phones and telephone usage in Class 20. This is no longer available to us. So we're moving money

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into the appropriate class line to pay for these. This is just the regular monthly fee.

REP. WEYLER: So just a movement of --

MS. LORDEN: Yeah.

REP. WEYLER: Thank you.

VICE-CHAIRMAN DANIELS: Representative Ober.

REP. OBER: Thank you. Okay. Class 20, however, you were budgeting an additional \$15,000. So you're not moving money out of Class 20 into the telecommunications Class 39. And then in Class 39 you're budgeting an additional \$2,000. So in those two classes you mentioned according to the documents you're asking for, you have increased the budget by \$17,000. Maybe we could go over what's going on in those two lines so we understand that based on what you previously said.

MS. LORDEN: So we're currently putting more money into this accounting unit based on additional grants.

REP. OBER: Which account?

MS. LORDEN: Into 2970 which is the Teen Independent Living, the first table. Out of Class 20 we anticipate spending money on some brochures and pamphlets. Rob could speak more to what they are for the youth.

MR. RODLER: Yes.

MS. LORDEN: But instead of --

REP. OBER: So wait a minute. Can we stop? Just make sure I understand. So in Class 20, we're in October, Fiscal Year started in July, and you failed to budget an additional \$15,000 that you're moving into it for brochures?

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MS. LORDEN: This is a Federal fund that -- Federal grant we're accepting that began October 1st.

REP. OBER: And then you added also 2,000 to Telecommunications. So that wasn't a move from Class 20 into Telecommunications. So I don't understand the previous answer to Representative Weyler.

MS. LORDEN: So normally we would have just put the whole 17 in Class 20. So we're breaking it out instead of transferring it. We're accepting more money into the budget due to a grant that we received.

REP. OBER: Can I ask a follow-up?

VICE-CHAIRMAN DANIELS: Follow-up.

REP. OBER: Class 10 you're adding \$33,000. That should be for a full-time person. What kind of a full-time person in the state works for 33,000?

MS. LORDEN: So prior to this, accepting this new grant, we had to spend down our old grant, and there wasn't enough money in an appropriate class line to do this. So we did a transfer prior to. We're allowed to transfer up to \$74,000 without coming to Fiscal Committee. And I had moved money so that we could try and spend the previous grant before it expired. So we are just replacing funds that were already taken out and moved into a different class line.

REP. OBER: What about what happened in benefits? You're also adding \$33,000.

MS. LORDEN: That would be the same.

REP. OBER: And then what are we getting -- last question -- in a Class 102 contract for program services? You're adding \$52,000 to a line that was budgeted at 12,000? So what are we getting for that?

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MS. LORDEN: There's an annual conference for the teens, as well as some additional programs that we're going to be providing through a contracted vendor. Rob could speak to more detail on that.

MR. RODLER: Yes. So -- sure. So we contract every year with the conducting of a youth conference that a hundred youth or more attend. And money goes towards workshops, towards activities, towards food and supplies. We also are going to be contracting to hire a coach/trainer to help engage staff on how we work with youth in permanency and transition planning. This is an area of the Department that's been identified that we can improve on so we are going to address that. We also have adult living skills curriculum that is in book form so we're going to seek to get an on-line component to make that more accessible to our youth.

VICE-CHAIRMAN DANIELS: Further discussion? Seeing none. We're voting on Item 177. All those in favor of that say aye? Opposed nay? Ayes have it. The motion carries.

***** {MOTION ADOPTED}**

VICE-CHAIRMAN DANIELS: Item 178, request from the Department of Health and Human Services, authorization to accept and expend \$326,407 in Federal funds through June 30th, 2018.

REP. OBER: I have a question.

VICE-CHAIRMAN DANIELS: Get a motion on the floor first.

****** SEN. D'ALLESANDRO: Move the item.

VICE-CHAIRMAN DANIELS: Moved by Senator D'Allesandro, seconded by Representative Wallner. Representative Ober, you're recognized for a question.

REP. OBER: You've added to Class line 80 out-of-state travel \$28,000. What are we getting for that and who's going to be doing that travelling?

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MS. LORDEN: Currently, there's an accounting unit funds one state employee, and then it also supports the State Advisory Group members. So a lot of this travel is for them, as well as the state employee to go for conferences.

REP. OBER: How many people are we sending to a conference for \$28,000?

MS. LORDEN: It could be about five non-state employees and then one state employee, and it could be one to two conferences a year. It depends on the subject matter and the location.

REP. OBER: So you budgeted about 4,000 a year for somebody to go to a conference?

MS. LORDEN: Yes.

VICE-CHAIRMAN DANIELS: Representative Weyler.

REP. WEYLER: I have a question about dues. Who are we paying and what are we getting for it?

MS. LORDEN: I'm sorry, excuse me?

REP. WEYLER: Dues, membership dues.

MS. LORDEN: The dues is with the Council of Juvenile Corrections Administrators. I think Brady could speak more to that.

BRADY SERAFIN, Director of Operations, Sununu Youth Services Center, Department of Health and Human Services: Good morning. Brady Serafin. I'm the Director of Operations at the Sununu Services Center.

So the Council on Juvenile Correction Administrators, we have annual dues and they actually operate several conferences throughout the year. So we're entitled to go to those conferences, participate on a national level with other correctional administrators throughout the country, talk about

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best practices, bring some of those best practices back to New Hampshire, find out what's working, what's not working in other states and really identify what's been effective, where states are going, where the practice is moving and really implement a lot of those strategies back in New Hampshire.

REP. WEYLER: Follow-up.

VICE-CHAIRMAN DANIELS: Representative Weyler.

REP. WEYLER: Is this part of the travel pay, out-of-state travel?

MR. SERAFIN: This is not. It's part of our dues for the CJCA that pays for those conferences.

REP. WEYLER: Part of your dues pays for the travel?

MR. SERAFIN: It does.

REP. WEYLER: Thank you.

VICE-CHAIRMAN DANIELS: Representative Eaton.

REP. EATON: So you bring back best practices. And I know there's been a State Law been in effect for ten years says you can't use restraints on juveniles and I'm sure, absolutely sure that the best practices nationally say you can't use restraints on juveniles. Have you guys finally absorbed that?

MR. SERAFIN: The best practices certainly talk about the reduction and isolation in restraints, for sure. So absolutely, the State of New Hampshire has implemented those strategies years ago. And, to be honest, the State of New Hampshire uses far less restraints and isolation or seclusion than most other states in the country. There are times, and best practices will tell you, there are times that it's necessary to ensure the safety of individuals to seclude for a short period of time. And we do that very infrequently, but there are certainly occasions when a youth is assaultive or acting out or trying to attack

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somebody that we need to make sure we ensure safety of everybody.

VICE-CHAIRMAN DANIELS: Representative Byron.

REP. BYRON: Thank you, Mr. Chairman. So if I understand this correctly, the \$3,500 in Line 26, without that funding you would not be able to send people to the conferences that you budgeted in Line 80?

MR. SERAFIN: No, that's not accurate. There's two different -- it's two different groups. The Line 80 is the SAG, the State Advisory Group, and the \$3,500 of CJCA is separate than that.

REP. BYRON: Follow-up.

VICE-CHAIRMAN DANIELS: Follow-up.

REP. BYRON: Isn't the \$28,000 to send them to the CJCA conferences? No?

MR. SERAFIN: No.

REP. BYRON: Thank you.

VICE-CHAIRMAN DANIELS: Further discussion? I will have to act on some of the previous comments. I think that the out-of-state travel seems to be excessive for the number of people that you're sending there. So I will be voting against this. Any further discussion? Seeing none. All those in favor of the motion on 178 say aye? Opposed nay? Show of hands. All those in favor raise your hand. Five. Those opposed? Five. It's 5-5.

** REP. EATON: Move to table, Mr. Chair.

VICE-CHAIRMAN DANIELS: Motion by Representative Eaton to table. Is there a second?

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SEN. GIUDA: Second.

VICE-CHAIRMAN DANIELS: Senator Giuda. All those in favor say aye? Opposed nay? The ayes have it and the motion is tabled.

*** {MOTION TO TABLE ADOPTED}

VICE-CHAIRMAN DANIELS: Item 179, a request of Health and Human Services to accept and expend \$775,000 in Other Funds through June 30th, 2018. Is there a motion?

** SEN. D'ALLESANDRO: Move the item.

VICE-CHAIRMAN DANIELS: Moved by Senator D'Allesandro. Is there a second? Seconded by Representative Wallner. Discussion? Seeing none. Oh, excuse me. Representative Byron.

REP. BYRON: Yeah. This is a Federal Incentive Funds Program that was to -- am I understanding this is funds that are being given to the State for some type of success in their program? Is there somebody who can answer that?

VICE-CHAIRMAN DANIELS: Someone is coming.

MARY CALISE, Finance Director, Department of Health and Human Services: Good morning. I'm Mary Calise. I'm the Human Services Finance Director. The incentive funds are earned by the child support program for the success that they have with getting funds distributed to the custodial parent. They can only be used for child support activities.

REP. BYRON: Okay.

VICE-CHAIRMAN DANIELS: Follow-up.

REP. BYRON: Thank you, Mr. Chairman. The other thing is on Page 3. There was a discussion here an additional 25,000 is being requested in order to address the shortfall of the Division of Child Support Services' operating budget over the

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New Hampshire Sheriff's fees. Can you talk about what's caused that shortfall and why it's there?

MS. CALISE: We find that we're projecting that we're going to have to pay more than we had originally anticipated based on the use to date and felt that to be proactive and be able to pay them timely, we should put more money into that account.

REP. BYRON: Follow-up.

VICE-CHAIRMAN DANIELS: Follow-up.

REP. BYRON: This is the third month of the budget.

MS. CALISE: It's based on a projection.

REP. BYRON: Okay. Thank you, Mr. Chairman.

REP. OBER: If I could?

VICE-CHAIRMAN DANIELS: Representative Ober.

REP. OBER: Could you tell us how many of these you budgeted for, how many you've had so far, how many you're having?

MS. CALISE: I would have to come back to you with that information. I don't have that specific level of information with me.

REP. OBER: Is there somebody with you in the audience who can help you?

MS. CALISE: Unfortunately, my financial manager is off today for that area.

** SEN. GIUDA: Move to table.

VICE-CHAIRMAN DANIELS: Motion by Senator Giuda to table.

REP. OBER: Second.

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VICE-CHAIRMAN DANIELS: Second by Representative Ober. All those in favor say aye? Opposed nay? I'm sorry. Once again, show of hands. All those in favor raise your hand? Those opposed?

Three opposed and -- seven to three. Thank you. The motion is tabled. The item is tabled.

***** {MOTION TO TABLE ADOPTED}**

SEN D'ALLESANDRO: Just a question, Mr. Chair. Is the tabling for more information? We ought to give some direction to this person who's here as to why we tabled it and what we're looking for if we need more information and what actually be forthcoming. Don't want to interrupt the program because we are not going to meet for another month.

CHAIRMAN DANIELS: Senator Giuda.

SEN. GIUDA: Thank you, Mr. Chair. The intent of the motion was to produce more information with respect to the \$25,000, some statistics to support that. Thank you, Mr. Chair.

VICE-CHAIRMAN DANIELS: Thank you. Item 180. This is a request from Health and Human Services to accept and expend \$181,643 in Federal funds through June 30th, 2018.

****** SEN D'ALLESANDRO: Move the item.

VICE-CHAIRMAN DANIELS: Moved by Senator D'Allesandro.

REP. WALLNER: Second.

CHAIRMAN KURK: Seconded by Representative Wallner. Discussion. Representative Weyler.

REP. WEYLER: More questions on laptops and cell phones. Are these replacements or is this something new?

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MS. LORDEN: These are new laptops. They're new laptops that we purchased for new staff.

REP. WEYLER: How about the cell phones, same thing?

MS. LORDEN: Yes, that as well.

REP. WEYLER: Thank you.

REP. OBER: Mr. Chair, I would like to amend the motion.

VICE-CHAIRMAN DANIELS: Representative Ober.

REP. OBER: I would amend the motion to direct the agency to budget the cost of laptops, software, and hardware because you get software with hardware to the appropriate class lines and not in Class 30, please.

SEN. GIUDA: Second.

REP. OBER: And that's a friendly amendment.

VICE-CHAIRMAN DANIELS: I think that's a friendly amendment and the Department understands that. Any further discussion? Seeing none. All those in favor of the motion say aye? Opposed nay? Ayes have it. The motion carries.

***** {MOTION ADOPTED}**

VICE-CHAIRMAN DANIELS: Thank you.

MS. LORDEN: Thank you.

(6) RSA 124:15 Positions Authorized:

VICE-CHAIRMAN DANIELS: Going on to Tab 6, Positions Authorized in the Department of Safety. Request to authorize and establish two temporary full-time Hearings Paralegal positions through September 30th, 2018.

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** REP. EATON: Move approval.

VICE-CHAIRMAN DANIELS: Representative Eaton moves approval. Is there a second?

SEN. D'ALLESANDRO: Second.

VICE-CHAIRMAN DANIELS: Seconded by Senator D'Allesandro. Discussion. Senator Giuda.

SEN. GIUDA: Thank you, Mr. Chairman. I would be in knowing statistics on DUI year over year for the last several years. I anecdotally heard they may be going down. If that's the case, maybe we want to consider adding staff to declining need.

VICE-CHAIRMAN DANIELS: Someone from the Department who could answer questions?

REP. OBER: Mr. Lavoie is a glutton for punishment, comes back and back.

STEVE LAVOIE, Director of Administration, Department of Safety: Good morning. Steve Lavoie, Director of Administration for the Department of Safety.

CHRISTOPHER CASKO, Administrator of Hearings and Prosecution, Department of Safety: Good morning, Mr. Chair, Members of the Committee. I'm Chris Casko. I'm an attorney for the Department of Safety. I'm the Administrator of Hearings and Prosecution.

VICE-CHAIRMAN DANIELS: Good morning. Do you need Senator Giuda to restate his question or did you get that?

MR. CASKO: No, I think I've got it. And I have some information on DWI convictions statistics from 1988 through 2016 that I think may be the most helpful and not just discuss State Police only.

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VICE-CHAIRMAN DANIELS: Do you have copies of that?

MR. CASKO: I only made one copy but certainly I have this. I could leave it with you. I could get the Committee copies. I could also e-mail this to the Committee

REP. EATON: We can have it in 30 seconds.

VICE-CHAIRMAN DANIELS: I sense the Committee probably would like that in order to make a decision.

MS. CASKO: And quickly looking at those, Senator, over time starting in 1988 and ending in 2016 the number of convictions has gone down.

SEN. GIUDA: Thank you. Follow-up.

VICE-CHAIRMAN DANIELS: Senator Giuda. Follow-up.

REP. OBER: Did you ask arrest or convictions? Did you ask arrests or convictions?

SEN. GIUDA: I was asking arrests. The arrests statistic is the one that I think that would drive the need for the extra legal staff to pursue these convictions; is that correct?

MS. CASKO: Yes, that's correct. And I have some State Police arrest numbers for 2013, '14, and '15 by Troop that we do prosecuting and that I can go through. That may be helpful as well.

VICE-CHAIRMAN DANIELS: Senator Giuda.

SEN. GIUDA: I think just an overview. Are they declining, by what percent, and that should be fairly quick calculation.

MR. CASKO: Sure. Looking in 2013, Troop A had 432 arrests for DWI and in for the full year. And then 2014 for the full year there were 361 DWI arrests. For part of 2015 from January until the end of August, Troop A had 259 DWI arrests. So just

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looking at that one Troop it suggests over time between 2013 and '15 there was some decrease, although arrest statistics alone don't necessarily capture the complicated nature of DWI case prosecution now, especially considering the number of drug impaired drivers that I think has increased due to the opioid crisis. Those case prosecutions are much more complicated and require more hours of work. So that even if arrests have gone down, I think the nature of the cases and the work involved has gone up requiring additional staff.

SEN. GIUDA: Thank you.

VICE-CHAIRMAN DANIELS: Further discussion? So I guess I'm kind of wondering the same thing. We see things go down. I mean, I can assume that we have had cases before that are complex and take more time and those occur every so often. So I'm still waiting for the justification why we need two more people as we see numbers going down.

MR. CASKO: Part of it, Senator, is that historically the Department of Safety prosecution program started in 1988, goes to the present. It started with three lawyers who prosecuted cases only in the three troops that had the most cases, Troop A in Epping, Troop B in Bedford, and Troop D in Concord. So we tried to prosecute as many of the cases for State Police as we could. But then all of the other Troops did not have prosecutors. The State Troopers were prosecuting the cases themselves. So what we've done is we are trying to add staff so that at least in the area of DWI we can have a lawyer prosecuting all of the State Police DWI cases, because what we found is the Troopers don't have the legal training to effectively prosecute the cases as they go through the court system now. They require legal -- responding to legal motions. They require putting forth expert testimony in different aspects that a State Trooper isn't necessarily trained to do where a lawyer is trained to do. So the increase is trying to cover all of the cases where at one time all we could do was prosecute the cases in the most highly-populated areas with the most court cases. But what we're trying to do is to cover all of State Police because over time certainly the one thing I always hear

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from State Police in the Troops that don't have a regular prosecutor is one of their greatest needs is to have case prosecution in court.

MR. LAVOIE: If I may just add to that. I mean, realistically, what we're talking about here is any cases that the prosecutors can take away from State Police results in more time that State Police can act on their mission and be on patrol. Time that they're spent in court they're not on patrol. And so that's -- that's -- even though you're seeing a decline in some of these cases, we're still -- Troopers are still prosecuting approximately 50%. Is that -- is that the number?

MR. CASKO: Around there.

MR. LAVOIE: Around 50% of the cases. This helps but doesn't -- doesn't bridge that gap entirely. So we're still spending Trooper time prosecuting cases.

VICE-CHAIRMAN DANIELS: Senator Giuda.

SEN. GIUDA: Thank you, Mr. Chairman. Do you have any breakout of the hours spent by the Troopers on DUI or under the influence cases? Have you tracked that time at all?

MR. CASKO: We have; and although I think that would be a good thing possibly to track, I know we're going to some new software to track employee time and that may be something that that software would allow us to track prosecution time of prosecutors and try to track some -- if they're defined Trooper prosecuted cases in other areas and try to talk with those Troopers and ask how much of their time hour-wise is spent if they prosecute a case in court.

VICE-CHAIRMAN DANIELS: Representative Weyler.

REP. WEYLER: At this Committee we have had several times where we've had grants, federal grants to increase DWI checkpoints and overtime moneys for the police forces. Is this a reflection of those grants? You didn't get the grants was there

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fewer arrests and convictions? Do you not have the memory of when those grants were in effect?

MR. CASKO: Yeah. I don't know that I could answer that, if there's any correlation between checkpoints and conviction statistics or not.

REP. WEYLER: Thank you. Thank you, Mr. Chair.

VICE-CHAIRMAN DANIELS: Representative Byron.

REP. BYRON: Thank you, Mr. Chairman. Can you discuss the jump in the data between 2008, 2009? Why did that -- why did the number of cases, oh, roughly almost drop in half or convictions I should say?

MR. CASKO: Sure. I don't really think I have that information. And this would be statewide and we're just a portion of this. In terms of my experience, why there may have been that reason in convictions, it could have reflected fewer arrests. It could have reflected fewer successful prosecutions for whatever reason. I know sometimes agencies paying witness fees is problematic. And if officers can't get to court, then there's not going to be a case conviction. But I don't -- I don't really have a good response to that, Representative, in terms of why it would drop so much in one year.

Also, enforcement time that's available in money, there's Federal money for checkpoints as well as for roving patrols for DWIs, and if there are fewer roving patrols in a following year then there would be fewer arrests because you don't have the cruisers on the street making the arrests, which then you don't get a conviction.

REP. BYRON: Thank you.

VICE-CHAIRMAN DANIELS: Representative Eaton.

REP. EATON: I think he just answered it so I'm good.

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VICE-CHAIRMAN DANIELS: Further discussion? Motion before us is approval of 181. All those in favor of that motion say aye? Opposed nay?

SEN. GIUDA: No.

VICE-CHAIRMAN DANIELS: Ayes have it. The motion carries with Senator Giuda opposed.

*** {MOTION ADOPTED}

(7) RSA 14:30-a, VI Fiscal Committee Approval Required For Acceptance and Expenditure of Funds Over \$100,000 from any Non-State Source and RSA 124:15 Positions Authorized:

VICE-CHAIRMAN DANIELS: Going on to Tab 7, Item 182, request of the Department of Safety to retroactively accept and expend \$284,426 in Other Funds for the period October 1st, 2017, through September 30th, 2018; and contingent upon approval of number one, continue two temporary full-time Hearings Examiner Prosecutor positions for the period of October 1st, 2017, through September 30th, 2018. This was originally approved August 25th, 2017, Item 17-130.

** REP. EATON: Move approval.

VICE-CHAIRMAN DANIELS: Representative Eaton moves approval of 182. Is there a second?

SEN. D'ALLESANDRO: Second.

VICE-CHAIRMAN DANIELS: Second by Senator D'Allesandro. Discussion? Representative Ober.

REP. OBER: Steve, the paperwork says it's 100% agency income. What is that? Can you tell us?

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MR. LAVOIE: Sure. It's agency income. It's actually Federal money that was awarded to the Office of Highway Safety. Once that -- once the Office of Highway Safety awards that to another State Agency, it becomes agency income. It loses that Federal funding status in our system, but it's essentially Federal funds.

REP. OBER: Thank you.

VICE-CHAIRMAN DANIELS: Further discussion? Seeing none. All those in favor of approval of 182 say aye? Opposed nay? Ayes have it. Motion carries.

***** {MOTION ADOPTED}**

VICE-CHAIRMAN DANIELS: 183, a request of the Department of Health and Human Services to authorize to retroactively accept and expend \$162,881 in Federal funds effective July 1st, 2017, through June 30th, 2019, and contingent upon approval of, number one, continue one temporary full-time Public Health Nurse Coordinator position from June 30th, 2017, through June 30th, 2019, which was originally approved on November 18, 2016.

****** SEN D'ALLESANDRO: Move approval.

CHAIRMAN DANIELS: Senator D'Allesandro moves approval. Is there a second?

SEN. GIUDA: Second.

VICE-CHAIRMAN DANIELS: Second by Senator Giuda. Discussion?

REP. OBER: I have a question.

VICE-CHAIRMAN DANIELS: Representative Ober.

REP. OBER: It's just about the finances. Thank you. You have Class 59, a full-time temporary person for a total \$49,432, and then you have under benefits Class 60,

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\$33,188. Is that 33,000 for the one person? Is their salary 49,000?

MS. COOPER: Yes.

REP. OBER: Thank you.

VICE-CHAIRMAN DANIELS: Further discussion? Seeing none. The motion before us is the approval of Item 183. All those in favor of that motion say aye? Opposed nay? The ayes have it. The motion carries.

*** {MOTION ADOPTED}

(8) 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 228:69, I (b), Appropriation and Use of Special Railroad Fund:

VICE-CHAIRMAN DANIELS: Thank you. Going on to Tab 8, Item 172.

** SEN. D'ALLESANDRO: Move approval of the item.

REP. EATON: Second.

VICE-CHAIRMAN DANIELS: Senator D'Allesandro moves approval, seconded by Representative Eaton. Discussion? Seeing none. All those in favor say aye? Opposed nay? The ayes have it. Motion carries.

*** {MOTION ADOPTED}

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

VICE-CHAIRMAN DANIELS: Tab 9, Department of Safety authorizing to budget and expend \$209,500 in Other Funds from the prior year carry forward balance of the enhanced E-911 System Fund through June 30th, 2018.

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** REP. EATON: Move approval.

VICE-CHAIRMAN DANIELS: Representative Eaton moves approval.
Is there a second?

SEN. D'ALLESANDRO: Second.

VICE-CHAIRMAN DANIELS: Second by Senator D'Allesandro. Any discussion? Seeing none. All those in favor say aye? Opposed nay? The ayes have it. The motion carries.

*** {MOTION ADOPTED}

VICE-CHAIRMAN DANIELS: And that finishes up all the items.

REP. OBER: We have late items.

(10) Miscellaneous:

VICE-CHAIRMAN DANIELS: We do have late items. Thank you. Take up Item 191 which is from Health and Human Services. Have the Department come forward.

** SEN. D'ALLESANDRO: I would move approval of Item 191.

VICE-CHAIRMAN DANIELS: Okay. Senator D'Allesandro moves approval of 191.

SEN. REAGAN: Second.

VICE-CHAIRMAN DANIELS: Second by Senator Reagan. Discussion? Questions? This is just another request that has been ongoing?

MS. CALISE: Right.

CHAIRMAN DANIELS: Is it not to take positions that were unfunded and exchange them, if you will --

MS. CALISE: Correct.

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VICE-CHAIRMAN DANIELS: -- for funded positions?

MS. CALISE: Yes.

VICE-CHAIRMAN DANIELS: Okay. Thank you. Made it easy, I guess. Seeing no more discussion. All those in favor of approving Item 191 say aye? Opposed nay? The ayes have it. The motion carries.

***** {MOTION ADOPTED}**

VICE-CHAIRMAN DANIELS: Item 192.

SEN. D'ALLESANDRO: I think, Mr. Chairman, I think this is information item and we don't have to vote on it.

VICE-CHAIRMAN DANIELS: I do believe that. Yeah, I believe that's true.

MR. KANE: Mr. Chair, I just have one action item I'd like to request from the Committee.

VICE-CHAIRMAN DANIELS: Mr. Kane, sure.

MR. KANE: Good morning. For the record, my name is Michael Kane. I'm the Legislative Budget Assistant. Just before we move on to informational items, we lost one of our staff, he went actually to a different job, Nathan White, who was helping out Division I. He accepted a position with Health and Human Services.

REP. OBER: With Meredith Telus. She robbed LBA.

MR. KANE: Yes. So two good people there. HHS made out, but we do have a vacancy that we would like to request to fill.

****** REP. EATON: Move approval.

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REP. OBER: Second.

SEN. GIUDA: Second.

VICE-CHAIRMAN DANIELS: Representative Eaton moves approval, Representative Ober seconds. Any discussion? Made it easy. All those in favor say aye? Opposed nay? The ayes have it. Motion carries.

*** {**MOTION ADOPTED**}

MR. KANE: Thank you.

VICE-CHAIRMAN DANIELS: Thank you. I'm relatively new at this.

(11) **Information Materials**:

VICE-CHAIRMAN DANIELS: Do we do anything at the informational items?

REP. OBER: Usually people have questions.

VICE-CHAIRMAN DANIELS: Does anyone have questions on any of the informational items?

REP. OBER: Such as the Dashboard.

CHAIRMAN DANIELS: Seeing none.

REP. WEYLER: Move on to audits.

Audits:

VICE-CHAIRMAN DANIELS: We go on to Audits. We have one audit regarding Internal Control Review of the State Procurement Card Program.

STEPHEN C. SMITH, Director, Audit Division, Office of Legislative Budget Assistant: Good morning, Mr. Chairman,
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Members of the Committee. For the record, Steve Smith, Director of Audits for the Legislative Budget Assistant Office. We're here to present our Internal Control Review of the State Procurement Card Program or P-Card Program.

With me to present the audit is Bill Mitchell. He's our Financial Audit Supervisor. And joining us from the Department of Administrative Services is Commissioner Arlinghaus. And I'll turn it over to Bill to present the report.

VICE-CHAIRMAN DANIELS: Okay.

WILLIAM H. MITCHELL, MBA, CPA, Audit Supervisor, Audit Division, Office of Legislative Budget Assistant: Good morning, Mr. Chairman, Members of the Committee. Again, for the record, my name is William Mitchell, and we're here to present the report on the Internal Control Review of the State Procurement Card Program. We conducted our audit in accordance with auditing standards applicable to performance audits pertaining to government auditing standards.

The objective of the audit was to evaluate whether the Department of Administrative Services as the administrative agency and the State Agencies as user agencies had designed, communicated, implemented, and operated suitable internal controls over the establishment and operation of a procurement card program.

In summary, we found the design of the Department's controls in place for managing the P-Card Program to be insufficient to provide reasonable assurance that the specified internal control objectives would be achieved. We also found that some of the Department's controls did not consistently operate as designed, and the establishment, operation, and maintenance of the control over the program appeared to be negatively affected by a key Department position not being filled.

We found Agency policies and procedures were not in full

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compliance with the P-Card Program requirements. And we also found that the operation of those controls were also mixed. Weaknesses in the design and operation of the internal controls supporting the State P-Card Program put the State at increased risk of error, fraud, non-compliance and other misuses. While we found weaknesses in the design and operation of the P-Card Program controls, we did not identify evidence of fraud or significant misuse in the transactions tested. We did, however, find instances of non-compliance with the program policies and procedures.

In the way of background, the State's P-Card Program was initiated in July of 2013 with the goal of improving the efficiency and effectiveness of processing and monitoring low-dollar expenses with the State. The dollar limit for the P-Card Program was initially set at the State's field purchase order maximum of \$500 per transaction. The limit was increased subsequently to \$1,000 per transaction, and at the same time the State began the issuance of contract cards for procurement on State contracts.

While most State contract cards have limits in the range of two to \$5,000 per transaction, there was some currently issued cards to senior agency personnel have limits of up to \$150,000 per transaction.

During the six months ended December 31, 2016, 22 agencies participated in the program and approximately 21,000 transactions totaling 9.4 million were processed through the State account.

There were 500 cardholders using 655 cards. Some cardholders had both a field purchase order limit card and a contract limit card. Generally, State policy requires purchases made with P-Cards to conform to all state purchasing rules, including to the extent possible the State purchasing rules and a purchase card manual that the Department put together and issued.

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Audit objective and scope and methodology is on Page 4 of the report. And, again, it was to assess the State's both the Department and the user agencies' internal controls over the P-Card Program. We looked at the adequacy of the design, the establishment and implementation of controls and the operation of the controls.

The scope of our audit included the internal controls that the Department and the agencies for the period -- six-month period July 1st of 2016, through December 31, 2016. Our methodology included interviews, review of documentation, review of laws, regulations. We observed process and we also tested transactions. We tested a random sample of low-tier transactions and a random sample of high-tier transactions, as well as a judgmental sample of collected transactions.

In compiling our comments for the report, we recognized the program was at an early stage in its life cycle and could benefit most from higher level internal control concept observations and recommendations, rather than a laundry list of identified conditions and to that end we present six comments in the report.

The first comment is a summary comment and the next five comments address the five interrelated components of internal control, with the recommendations to strengthen the control environment by adequately staffing the program and demonstrating a commitment to a controlled operation, establishing an effective risk assessment process at the Department and at the agencies that can recognize and respond to risks, establish appropriate control activities, ensure that program participants have the information and communication necessary for controlled operations of the program, and put in effective monitoring controls in place that can provide relevant feedback on the operations of the program controls.

It should be recognized the examples provided in the comments are simply that, examples, and should not be considered a complete list of weaknesses in the operation of the program. We recommend Management address and strengthen each internal

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control component; and in doing so, it should thereby address the conditions that allow the examples to occur.

Included in the Appendix of the report being on Page 21, there's some information on the operation of the program in terms of procurements by agency in dollars, number of transactions by agency, card counts by agency, and then the top 25 vendors by dollar amount and transaction count.

I would like to thank the agency -- the Department and the agencies that participated in the audit. Their assistance was essential and very helpful. Also like to thank the Committee for the time this morning and be happy to answer any questions that you might have.

REP. WEYLER: DAS.

VICE-CHAIRMAN DANIELS: Commissioner.

CHARLES ARLINGHAUS, Commissioner, Department of Administrative Services: Hi. Thanks for having us. I want to thank the LBA for doing the audit. There's also some significant issues with the P-Card Program. This is a very useful document for us to develop a plan going forward. This is a new program as most of you know. The administrator -- administrator for the program has not been hired. That's actually in process right now. We've completed interviews for the position. The position is paid out of the recovery of funds from the P-Cards, and there's now enough money to do that. It would be probably disingenuous to say that merely having a P-Card Administrator will solve everything. I would say having a P-Card Administrator paying attention to what's going on and drawing on the wisdom from the audit should and better take care of all the problems. But we've regarded this internally as a very useful tool for making appropriate changes and adopting the appropriate controls and remain convinced that the -- that a procurement card program, in general, has a great deal to offer the State and of great benefit which is why so many people use them and will be with appropriate controls a significant improvement on things

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like purchase orders. So we want to thank everybody and answer any questions you have.

VICE-CHAIRMAN DANIELS: Any questions? Representative Ober.

REP. OBER: Commissioner, I'm so glad you're here. I hate to say this but this bill passed in 2011, and I was a sponsor of the bill to set up this program. And you can see it took former Commissioner Hodgdon two years to even get the pilot off the ground. And we did anticipate that we would save enough money to hire an Administrator to go forward. However, because of the slow start under two previous Commissioners that money's been slowly coming in. So the goal was not to pay for State employee and I'm afraid that that goal probably led to part of this.

So I hate to say this, but I may have been part of this problem since I originally was on this bill and we thought that was a good idea; but it looks in hindsight like it wasn't. So, Commissioner, I'm glad it's working. My apologies that you kind of got hit with this, because it would -- it was difficult to get off the ground. But I do think it's saving the State overall money, isn't it? This isn't a financial audit, but that was the goal of the program when we started.

MR. ARLINGHAUS: Certainly we think it is and I don't think I can sit here today and demonstrate that to you in any way about whether or not it is, although we could have a future conversation about that. I think we remain convinced internally and it's very nice of you to say that part of the problem is yours, although I think that's almost certainly not true, so; but thank you for saying that.

VICE-CHAIRMAN DANIELS: Senator Giuda.

SEN. GIUDA: Thank you, Mr. Chairman. Do you have a way to quantify any abuse that might -- you might have found or project how much abuse there might be in terms of actual dollar value or percentage of total expenditures with these cards?

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MR. MITCHELL: No. We would hesitate to do that. The nature of the samples were not conducive to that. Some of the issues that we found were in the judgmental samples and in that instance what we did was we reviewed the data that we -- that we had and looked for those issues that just didn't look right to us. And so those are the ones that we were kind of cherry picking in that instance and we didn't see that. So it would be inappropriate to try to project that kind of result into the population. But, again, we did not -- while we did see issues that were contrary to program guidance, such as splitting invoices, making two swipes of a card and thereby getting past a dollar limit, we did see instances of that. We did see instances as noted in the report where things were purchased that perhaps were not supposed to be purchased, but we did not see where it was a personal issue in terms of somebody taking personal advantage. It was more of an efficiency thing perhaps in their mind is what they did; but those opportunities exist.

SEN. GIUDA: Thank you very much.

MR. ARLINGHAUS: Can I add, Senator, to that issue that I think there are reasonable concerns, and I share your concerns and I do think that right now the real issue with the program is that there is -- while we don't believe there has been significant abuse, you know, we're very hopeful and fairly confident in that, there's significant potential for abuse. And one of the things is that, you know, you leave your door unlocked at night somebody could break in. The fact they don't break in doesn't mean you shouldn't lock your door at night and that's kind of how we're looking at it.

SEN. GIUDA: Thank you.

VICE-CHAIRMAN DANIELS: Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you, Mr. Chairman. Thank you very much, Commissioner, and thank you very much for the audit. You posted the position in September. What has the response been like for the position?

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MR. ARLINGHAUS: We had a fairly wide response inside of State government to it, and I don't know offhand the exact number of applications that came in. I know that we narrowed it down. I had a conversation yesterday or the day before with Gary Lunetta who's overseeing that process about this, and they interviewed four candidates, all of whom were very strong. And I don't want to -- I don't want to say here where I think we're going with it; but I think that when the candidate is selected people who know him or her will be -- will be fairly impressed internally with experience and dedication.

SEN. D'ALLESANDRO: Thank you.

VICE-CHAIRMAN DANIELS: Further questions? Representative Weyler.

** REP. WEYLER: Thank you, Mr. Chairman. I move we accept the report, place it on file, and release in the usual manner.

REP. EATON: Second.

VICE-CHAIRMAN DANIELS: Motion by Representative Weyler, seconded by Representative Eaton to accept the report. Would you allow me to ask a question? Okay. Why is it necessary for a person to have more than one P-Card?

MR. ARLINGHAUS: It's a matter of procurement cards and then contract cards which are slightly different items. I can get you a more detailed answer on that than I think I'm competent to go into at this moment. But that's generally where you would have a regular purchasing card for regular purchases and then what's referred to as a contract card for contract items.

VICE-CHAIRMAN DANIELS: Okay. I'm looking at Page 3 of the report. In the first paragraph it talks about transactions that were processed with P-Card bank account by 500 cardholders using 655 P-cards. So the implication here is that people have more than one card.

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MR. MITCHELL: That's correct. We found that at some agencies there would be individuals who would have two cards, a card to transact a field purchase order limit transactions and also a card to be used for on a contract procurement. There were some agencies that only issued the contract card to their employees, which was used for both field purchase order limit transactions and contract limit transactions.

So, again, it's one of those things I think where the program has expanded, and it went from the original field purchase order to then the field purchase order on the contract card. And perhaps there wasn't a full thoughtful development to recognize what should be. Should there only be one card per person or should there be two cards per person? Some agencies are doing it one way, some agencies are doing it the other way. So it's kind of an inconsistency in process that ought to be looked at and considered. We're not making a judgment as to which way it should be. We're just saying that that's the fact. Consistency might be helpful.

VICE-CHAIRMAN DANIELS: It's good to see the Department has concurred on all the reported deficiencies. Representative Byron.

REP. BYRON: Thank you, Mr. Chairman. Just interested on the contract cards. I'm assuming that those cards are for a repetitive ongoing purchase that may be some type of service or goods that are delivered periodically, something along that line. Have you looked at all to see if there's been any, for example, discontinuance of a contract, but the charges continue to come in?

MR. MITCHELL: Our sample would have looked at that. In terms of part of our testing of an expenditure we would look to see if the item that was purchased was received. So that's a normal step in our expenditure testing. So we did not see any of that.

If there was a tested item, we would have looked to see that the item purchased was received by the agency. Now some

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agencies are better than others in terms of making sure that there is a receiving report to evidence every receipt, but we would be looking for that documentation.

REP. BYRON: Thank you.

MR. MITCHELL: I think to -- perhaps if you go to page -- if you go to Page 22 you will see that -- I'm sorry, not Page 22. If you go to Page 25 you will see that, yes, you're right, that a lot of the transactions -- the largest number of transactions are almost 6,000 transactions were with W.B. Mason which is a regular process kind of contract. The largest dollar transactions on Page 24 you see related to a truck dealer and those were the transactions that needed the cards with \$100,000 plus transaction limits because the agency was buying large trucks for their operations using the P-Card, contract P-Card. So it's a large difference in experience between agencies as to how they're being used, what they're being used for from the routine boxes of paper to \$100,000 dump trucks.

MR. ARLINGHAUS: Representative, let me get you an answer on whether -- whether that would go through as a matter of course or not. If we -- if the vendor switched, for example, from I think it was Central Paper Products became W. B. Mason, and you ordered from Central Paper Products with a P-Card around the time of the transition what would happen. I'll find out the answer to that, but it's clearly something we have to figure out.

REP. BYRON: Right. If I could just comment.

VICE-CHAIRMAN DANIELS: Follow-up.

REP. BYRON: The reason I'm sensitive to this is we had something similar happen to this in my town where there were services that were billed but not rendered, and that's about all I'll say. And it did go against a P-Card we had in our community. And, of course, it wasn't caught for a bit until and we eventually got onto that and that ended up in the Attorney General's Office. But we'll just leave that for another day.

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VICE-CHAIRMAN DANIELS: Any further discussion? Motion before us is to accept the audit report. All those in favor of that say aye? Opposed nay? Ayes have it. Motion carries.

*** {**MOTION ADOPTED**}

VICE-CHAIRMAN DANIELS: Thank you very much. Seeing no more business before us, Representative Kurk has set the date for the next meeting.

REP. WEYLER: December 15th.

VICE-CHAIRMAN DANIELS: Senator Giuda moves to adjourn. Representative Byron.

REP. BYRON: I believe there was another audit or review that was done that was conducted by a peer group of LBA.

MR. KANE: Oh, sure. In the informational items. I'll let Steve Smith briefly address it, but let me bring you to the item first.

REP. BYRON: I just wanted to see if we could put that into the meeting minutes.

MR. KANE: Yes, Item 187. Basically, our auditors, we weren't technically audited, but we are reviewed by other audit agencies in other states, and Steve can make a couple comments on kind of what occurs and how we did.

MR. SMITH: This is our most recent peer review report, which includes process where we as auditors do get audited to an extent. Just for the Committee's information, every three years our office invites the National State Auditors Association or the NSAA to review our system of quality control as required by our auditing standards. The NSAA sends a team of our peers from other states around the country to come and evaluate our policies and procedures and quality control system. They do this by selecting audits our office completes during the previous

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Fiscal Year and assessing whether we performed our work in conformity with government auditing standards, as well as other applicable professional standards.

As Mike said, we're pleased to report that the NSAA team agreed on granting us the highest opinion rating of pass and that there were no findings that required any further consideration.

If I may, I would like to acknowledge our two audit supervisors, Bill Mitchell here with me, as well as Jay Henry, our performance audit supervisor. And it's these results reflect the professionalism and quality work they do, along with our audit managers, to continuously monitor the quality of what we do, and not only to abide by the accepted standards that we're to abide by but also to produce a product that can benefit our New Hampshire constituency. So with that, thank you.

VICE-CHAIRMAN DANIELS: Thank you.

REP. WEYLER: Very proud of you.

(Applause)

** SEN GIUDA: I would move that letter be entered into the permanent record.

VICE-CHAIRMAN DANIELS: I believe that's going to be all part of the minutes.

REP. BYRON: I would like to recognize that success and congratulate LBA on a job well done. I think it's a benefit to the State and the citizens that you're doing this type of high quality work, so.

VICE-CHAIRMAN DANIELS: Thank you.

REP. WEYLER: Thank you, Mike.

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VICE-CHAIRMAN DANIELS: Is there anything else to come before us today?

SEN. D'ALLESANDRO: One other thing, Mr. Chair.

VICE-CHAIRMAN DANIELS: Senator D'Allesandro.

SEN. D'ALLESANDRO: Today, Doug Shumway leaves his acting job as superintendent of New Hampshire Hospital. He came into a very difficult situation, handled it with great skill and those employed at the hospital, I think, were rejuvenated in terms of their desire to do good service to the State of New Hampshire. Don Shumway is a wonderful public servant, has been a public servant in the State of New Hampshire for many, many years, and I think that we should recognize that when we have needs, boy, the people of -- people of our State Employees react positively to it.

Don came back from retirement to take over a very difficult situation, and the people in the State of New Hampshire should be very thankful for what he did in terms of service. We sometimes don't recognize the quality service that we get from our State Employees, and I think he's an example of quality public service that we all should pay attention to. Thank you, Mr. Chair.

VICE-CHAIRMAN DANIELS: Thank you, Senator. Anything else to come before us? If not, I will accept Senator Giuda's motion to adjourn. Is there a second?

SEN. D'ALLESANDRO: Second.

VICE-CHAIRMAN DANIELS: Second by Senator D'Allesandro. All those in favor say aye? Opposed nay? Ayes have it. Motion carries and we are adjourned.

***** {MOTION ADOPTED}**

(The meeting adjourned at 11:36 a.m.)

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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.

Cecelia A. Trask

Cecelia A. Trask, LSR, RMR, CRR
State of New Hampshire
License No. 47

