

JOINT LEGISLATIVE FISCAL COMMITTEE

Vast Conference

Friday, December 11, 2020

MEMBERS PRESENT:

Rep. Kenneth Weyler, Chair
Rep. Karen Umberger
Rep. Lynne Ober
Rep. Tracy Emerick
Rep. Peter Leishman
Sen. Gary Daniels, Vice-Chair
Sen. Jeb Bradley
Sen. Erin Hennessey
Sen. Lou D'Allesandro
Sen. Cindy Rosenwald

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

(1) Call In Instructions:

KENNETH WEYLER, State Representative, Rockingham County, District #13: This is Representative Ken Weyler, Chairman of the Fiscal Committee. I will read the instructions that go with the electronic meeting.

As Chair of the Fiscal Committee, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 Pandemic, and in accordance with the Governor's Emergency Order No. 12, pursuant to Emergency Order 2020-04, as extended, this public body is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I have confirmed that we are, A, providing public access to this meeting by telephone, and additional access --

(In background electronic audio says "Conference Recording Started.")

CHAIRMAN WEYLER: Additional access possibility by video or other electronic means. Through VAST Conference meeting, all Members of the Committee and the staff of State Agencies with agenda items have the ability to communicate contemporaneously during this meeting through this platform and the public has access to contemporaneously listen and, if necessary, participate in this meeting by dialing the following phone number: 1-800-356-8278, and the six digit conference code 125563, followed by the pound sign.

B. Providing public notice of the necessary (Inaudible) the meeting. We previously gave notice to the public of the necessary information to access this meeting. The instructions have also been provided in the House and Senate Calendar, the Fiscal Committee Agenda, and the website of Office of the Legislative Budget Assistant.

C. Providing a mechanism for the public to alert the public body during the meeting if there are problems with access. If anybody has a problem, please e-mail LBA_Fiscal@leg.state.nh.us.

Adjourning the meeting if the public is unable to access the meeting. If 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. Let's start the meeting by taking the roll call attendance. Each member state their presence. Please also state whether there is anyone in the room with you during this meeting, which is required under the Right-To-Know Law. I would ask Representative Umberger to call the roll.

LYNNE OBER, State Representative, Hillsborough County, District #37: Excuse me. Can you guys hear me?

CHAIRMAN WEYLER: Yes.

REP. OBER: Ken Weyler is breaking up. I cannot understand a word he's saying. I'm not sure if anybody on the line can understand. I could hear his voice sort of mumbling, but --

CHAIRMAN WEYLER: All right. I'll try a different phone. (Inaudible).

PETER LEISHMAN, State Representative, Hillsborough County, District #24: Yeah, same here, Lynne. I could not hear Ken very well, but I can hear you loud and clear.

CHAIRMAN WEYLER: All right.

LOU D'ALLESANDRO, State Senator, Senate District #20: I agree. I think that's the way it's coming across.

CHAIRMAN WEYLER: All right. I'm going to a different phone or I'll call (Inaudible).

MICHAEL KANE, Legislative Budget Assistant, Office of Legislative Budget Assistant: Okay. So Representative Weyler is going to recall in to have a better connection, so we'll just take a little pause until he gets back.

KAREN UMBERGER, State Representative, Carroll County, District #02: Okay. I think somehow or other I disconnected. So Representative Weyler --

MR. KANE: He stepped off for a minute, Representative Umberger. He was having connection issues. He should be back shortly.

REP. UMBERGER: Okay.

MR. KANE: I'll let you know when the roll is ready.

REP. UMBERGER: Oh, okay. All right then. Thank you.

MR. KANE: Sorry about that.

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CHAIRMAN WEYLER: (Inaudible).

MR. KANE: Still broken up, Representative Weyler.

CHAIRMAN WEYLER: I don't know why.

MR. KANE: Did you put it on speaker or --

SEN. D'ALLESANDRO: We can barely hear him. We cannot hear him at all now.

CHAIRMAN WEYLER: (Inaudible).

MR. KANE: Still choppy, Representative.

CHAIRMAN WEYLER: Hello. (Inaudible).

SEN. D'ALLESANDRO: We can't -- we can't hear him at all.

MR. KANE: Yes, we can't hear you, Representative Weyler. Sorry.

SEN. D'ALLESANDRO: We can't hear him at all.

SEN. ROSENWALD: I can't hear him either.

SEN. D'ALLESANDRO: You can't hear anything.

MR. KANE: Representative Weyler, if you wanted to hang up and call back in, we could see if maybe that has a better -- a better luck.

CHAIRMAN WEYLER: (Inaudible).

MR. KANE: Still broken up.

SEN. D'ALLESANDRO: We can't hear him at all, Mike.

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CHAIRMAN WEYLER: (Inaudible).

SEN. D'ALLESANDRO: Hey, Mike.

MR. KANE: Yes.

SEN. D'ALLESANDRO: Mike, I wonder if it would be appropriate to -- to recess for 15 minutes or so until we can get this phone situation squared away.

MR. KANE: Sure, would the Vice-Chair --

SEN. D'ALLESANDRO: Who's the Vice-Chair?

MR. KANE: Senator Daniels like to make that -- Senator -- well, for now or Representative Ober, she just wants to call a recess right now and then we'll try to get in touch with Representative Weyler to figure out the connection.

REP. OBER: I think a recess is a smart idea. Mike, I think you could quickly e-mail each of us when you're ready to come back and we should try to do this. It's 11 past ten. Let's say we'll do this at 10:30 so the audience who's called in can try again at 10:30. Would that be acceptable to everybody?

REP. LEISHMAN: Sounds like a plan, Lynne.

SEN. D'ALLESANDRO: Yes, sounds like a plan.

MR. KANE: Okay. We'll reach out to Representative Weyler to try to figure out what that issue is.

REP. OBER: Okay. Thank you.

SEN. D'ALLESANDRO: Mike, you'll e-mail us?

MR. KANE: Yes.

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SEN. D'ALLESANDRO: Okay. Great. Thank you. Okay. Thank you. Bye.

(Recess was taken at 10:12 a.m.)

(Reconvened at 10:31 a.m.)

CHAIRMAN WEYLER: All right. I'll call this Fiscal Committee meeting to order for December 11, 2020, and ask -- I'll ask --

(In background electronic audio says "Conference Recording Started.")

CHAIRMAN WEYLER: I'll ask Representative Umberger to call the roll.

REP. UMBERGER: Please state your location after you have indicated that you're present. Ken Weyler.

CHAIRMAN WEYLER: I'm in Kingston. I'm in this room alone, and I'm present.

REP. UMBERGER: Lynne Ober.

REP. OBER: I'm present. I'm in Hudson. As always, I have assorted cats and a husband wandering about.

REP. UMBERGER: Representative Umberger. Yes. I'm in my home in Kearsarge. Representative Leishman.

REP. LEISHMAN: Good morning, Karen. Peter Leishman here in Peterborough at home alone.

REP. UMBERGER: Okay. Representative Emerick.

TRACY EMERICK, State Representative, Rockingham County, District #21: I'm here in my home in Hampton alone.

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REP. UMBERGER: Uh -- Senator Daniels.

GARY DANIELS, State Senator, Senate District #11: I'm in my home office in Milford and no one else is in the room.

REP. UMBERGER: Senator Bradley.

JEB BRADLEY, State Senator, Senate District #03: Yeah, good morning, everyone. Jeb Bradley. I am at our condo with Karen and Napoleon who you probably heard in the background.

REP. UMBERGER: Senator Hennessey.

ERIN HENNESSEY, State Senator, Senate District #01: Good morning. Erin Hennessey. I'm at my home in Littleton and my children are in and out of the room.

REP. UMBERGER: Senator Rosenwald.

SEN. ROSENWALD: Good morning. I'm in my home in Nashua and I am alone in the room.

REP. UMBERGER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Senator D'Allesandro. I'm at my home in Manchester and I'm alone.

REP. UMBERGER: Thank you.

SEN. D'ALLESANDRO: You're welcome.

CHAIRMAN WEYLER: Thank you.

(2) Organization of Committee:

CHAIRMAN WEYLER: We will now organize the Committee. I am by law the -- the Chair. The position to elect the Vice-Chair is usually the Chair of the Senate Finance Committee. I'll

entertain a motion to nominate Representative Daniels as Vice-Chair.

** SEN. BRADLEY: I'll move that to nominate Senator Daniels.

CHAIRMAN WEYLER: And that was?

SEN. BRADLEY: Bradley.

CHAIRMAN WEYLER: That was Senator Bradley made the motion. Is there a second?

SEN. D'ALLESANDRO: I'll second.

REP. EMERICK: Second, Emerick.

CHAIRMAN WEYLER: Senator -- Representative Emerick seconds. Any further -- any further nominations? All those in favor of Representative Daniels say aye? Do we have to do a roll call on every one of these?

REP. OBER: Yes, Governor's Executive Order.

CHAIRMAN WEYLER: All right. I guess we'll have to do a roll call on this, Representative Umberger.

REP. UMBERGER: Okay. Representative Ober.

REP. OBER: Yes.

REP. UMBERGER: Representative Leishman.

REP. LEISHMAN: Yes.

REP. UMBERGER: Representative Emerick.

REP. EMERICK: Yes.

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REP. UMBERGER: Representative Umberger. Yes. Senator Daniels.

SEN. DANIELS: Yes.

REP. UMBERGER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. UMBERGER: Senator Hennessey.

SEN. HENNESSEY: Hennessey yes.

REP. UMBERGER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. UMBERGER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Senator D'Allesandro votes yes.

REP. UMBERGER: Representative Weyler.

CHAIRMAN WEYLER: Yes.

REP. UMBERGER: Okay. The vote is ten yes, and zero no.

CHAIRMAN WEYLER: All right. And the Senator is elected as Vice-Chair, Senator Daniels.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: I'll now entertain a motion to nominate the Fiscal Committee Clerk.

****** REP. LEISHMAN: Move Representative Umberger. Leishman.

SEN. HENNESSEY: Second Hennessey.

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CHAIRMAN WEYLER: We have a motion and a second to elect Representative Umberger as the Clerk. The Clerk will call the roll on that nomination.

REP. UMBERGER: Representative Ober.

REP. OBER: Yes.

REP. UMBERGER: Representative Leishman.

REP. LEISHMAN: Yes.

REP. UMBERGER: Representative Emerick.

REP. EMERICK: Yes.

REP. UMBERGER: Representative Umberger. Yes. Senator Daniels.

SEN. DANIELS: Yes.

REP. UMBERGER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. UMBERGER: Senator Hennessey.

SEN. HENNESSEY: Hennessey yes.

REP. UMBERGER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. UMBERGER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. UMBERGER: Representative Weyler.

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CHAIRMAN WEYLER: Yes.

REP. UMBERGER: The vote is 10 to zero. Motion passes.

CHAIRMAN WEYLER: Motion passes. Thank you.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: Now we need to appoint the Legislative Budget Assistant. I'll entertain a motion to nominate Michael Kane.

****** REP. OBER: So move. This is Lynne Ober.

SEN. D'ALLESANDRO: I'll second that. This is Senator D'Allesandro.

CHAIRMAN WEYLER: All right. We have a motion to elect Michael Kane as the Legislative Budget Assistant. The Clerk will call the roll on that motion.

REP. UMBERGER: Okay.

CHAIRMAN WEYLER: And this is a two-year term.

REP. UMBERGER: All right. Representative Ober.

REP. OBER: Yes.

REP. UMBERGER: Representative Leishman.

REP. LEISHMAN: Yes.

REP. UMBERGER: Representative Emerick.

REP. EMERICK: Yes.

REP. UMBERGER: Representative Umberger. Yes. Senator Daniels.

SEN. DANIELS: Yes.

REP. UMBERGER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. UMBERGER: Senator Hennessey.

SEN. HENNESSEY: Hennessey yes.

REP. UMBERGER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. UMBERGER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. UMBERGER: Representative Weyler.

CHAIRMAN WEYLER: Yes.

REP. UMBERGER: The vote is 10 to zero.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: Thank you. Does everyone have a copy of the rules and procedures of the Fiscal Committee?

SEN. ROSENWALD: No, I don't.

CHAIRMAN WEYLER: Someone -- you do not have it?

SEN. ROSENWALD: I don't. Hum --

CHAIRMAN WEYLER: All right.

SEN. D'ALLESANDRO: I don't think any of us have it.

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MR. KANE: Hi, Representative. I can go over that for you, if you would like. If you did get the agenda and you click on Organization of the Committee, you will find them on the second page. But --

SEN. ROSENWALD: Oh, okay.

MR. KANE: -- if you would like, I can read through them. Just a quick summary, if you would like.

SEN. ROSENWALD: No, I've got that as part of the agenda?

MR. KANE: Yes, yes.

CHAIRMAN WEYLER: Okay. Does everybody see it and have it on the agenda?

REP. OBER: Can Mike just read through it? I don't have the agenda up on the computer.

CHAIRMAN WEYLER: Okay. Mike, I guess you got to read through it.

MR. KANE: Absolutely. For the record, my name is Michael Kane. I'm the Legislative Budget Assistant and I thank you very much for the good vote of confidence you have just taken. As far as Fiscal Committee rules and procedures, these are as it relates to Committee actions.

Number one is that the Committee requires that any requested action made pursuant to RSA 124:15 establishing any new position or continuation of an existing position, either full-time or part-time, or the hiring of consultants be for the current biennium only. And so this is a standard practice of Fiscal Committee to only approve acceptance and expenditure of funds through the current biennium. We are currently in the FY 20-21 biennium so all actions will end on June 30th, '21, until the new biennium begins.

Number two, the Committee requires that any requested action made pursuant to RSA 14:30-a, the acceptance and expenditure of funds, is also for the biennium only. And, also, any requests made under following statutes will be put on the Consent Calendar. And these are RSA 9:16-a, which is for transfers, RSA 9:16-c relative to transfer of federal grant funds specifically, RSA 9:17-b, transfer of appropriations for the Judicial Branch, RSA 14:38, the acceptance and expenditure of funds over \$100,000, and RSA 124:15, positions restricted. As with any Consent Calendar item, a member can make a recommendation or request to pull that item off Consent to have an individual vote.

And, number four, the acceptance of a late item does require the approval of the Chairman of Fiscal Committee before being added to the agenda. And the last part of the rules and procedures is relative to our office. It allows myself to grant step increases on employee's anniversary date based on satisfactory performance, as well as to reclassify positions with prior approval of the Chairman of the Fiscal Committee, promotions with prior approval of the Chairman of the Fiscal Committee, and to fill a vacancy in the LBA Office with prior approval of the full Fiscal Committee. And so that's a quick summary of the Fiscal Committee rules and procedures.

CHAIRMAN WEYLER: Thank you, Mr. Kane.

** REP. OBER: Move to approve.

SEN. D'ALLESANDRO: Second.

CHAIRMAN WEYLER: All right. A motion by Representative Ober, second by Senator D'Allesandro to approve the procedures. The Clerk will call the roll.

REP. UMBERGER: Uh -- Representative Ober.

REP. OBER: Yes.

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REP. UMBERGER: Representative Leishman.

REP. LEISHMAN: Yes.

REP. UMBERGER: Representative Emerick.

REP. EMERICK: Yes.

REP. UMBERGER: Representative Umberger. Yes. Senator Daniels.

SEN. DANIELS: Yes.

REP. UMBERGER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. UMBERGER: Senator Hennessey.

SEN. HENNESSEY: Hennessey yes.

REP. UMBERGER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. UMBERGER: Senator D'Allesandro.

SEN. D'ALLESANDRO: D'Allesandro votes yes.

REP. UMBERGER: Representative Weyler.

CHAIRMAN WEYLER: Yes.

REP. UMBERGER: Okay. We have the vote is 10 to zero.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: The rules and procedures are adopted.

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(3) Acceptance of Minutes of the November 20, 2020 Meeting.

CHAIRMAN WEYLER: Next we move to the acceptance of the minutes of November 20th, 2020, meeting. Is there a motion to approve those minutes?

** SEN. D'ALLESANDRO: So moved.

REP. LEISHMAN: So moved.

SEN. ROSENWALD: Second.

CHAIRMAN WEYLER: All right. Motion by Senator D'Allesandro, seconded by I think Senator --

SEN. ROSENWALD: Rosenwald.

CHAIRMAN WEYLER: Who was it?

SEN. ROSENWALD: Rosenwald.

CHAIRMAN WEYLER: Senator Rosenwald. Clerk will call the roll. Are there any additions or corrections to the minutes? Seeing none, the Clerk will call the roll.

REP. EMERICK: Point of order, please.

CHAIRMAN WEYLER: Yes.

REP. EMERICK: Point of order. If we were not a member at that time, should we vote?

CHAIRMAN WEYLER: If you were not a member you can abstain because by reading the minutes you wouldn't be able to find any error or omission. So if you were not a member, you would abstain. Or if you were not present at the meeting you would abstain. So there will be a lot of abstentions. Clerk will call the roll.

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REP. UMBERGER: Representative Ober.

REP. OBER: Yes.

REP. UMBERGER: Representative Leishman.

REP. LEISHMAN: Yes.

REP. UMBERGER: Representative Emerick.

REP. EMERICK: Abstain.

REP. UMBERGER: Representative Umberger. Abstain.
Representative Daniels.

SEN. DANIELS: Senator Daniels.

REP. UMBERGER: Senator Daniels.

SEN. DANIELS: Senator Daniels abstain.

REP. UMBERGER: Senator Bradley.

SEN. BRADLEY: Abstain.

REP. UMBERGER: Senator Hennessey.

SEN. HENNESSEY: Hennessey yes.

REP. UMBERGER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. UMBERGER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Senator D'Allesandro votes yes.

REP. UMBERGER: Representative Weyler.

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CHAIRMAN WEYLER: Yes.

REP. UMBERGER: We have six yeses and four abstentions.

CHAIRMAN WEYLER: All right. The minutes are accepted.

*** {MOTION ADOPTED}

CONSENT CALENDAR

- (4) 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:

CHAIRMAN WEYLER: Moving on to our Consent Calendar. We have Item FIS 20-256 from the Department of Education for a Charter School -- acceptance of a Charter School Grant. Are there any questions?

REP. LEISHMAN: Chairman Weyler, could I ask --

SEN. HENNESSEY: Chairman, Senator Hennessey.

CHAIRMAN WEYLER: Yes, go ahead. Senator Hennessey.

** SEN. HENNESSEY: I move Item 20-256.

CHAIRMAN WEYLER: Okay. We have a motion. Is there a second? And then we'll get to discussions and questions. Is there a second?

SEN. BRADLEY: Yeah, I'll second that. Bradley.

CHAIRMAN WEYLER: All right. Senator Bradley seconds Senator Hennessey's motion. Are there any questions or --

MR. KANE: Yes, we have Senator Rosenwald and Representative Ober.

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REP. LEISHMAN: And Leishman.

CHAIRMAN WEYLER: All right, in that order. We'll have Senator Rosenwald go first.

SEN. ROSENWALD: Thank you very much, Mr. Chairman. I do have a question for the Department, if they're available to answer.

FRANK EDELBLUT, Commissioner, Department of Education: Frank Edelblut and I'm on the conference line now.

SEN. ROSENWALD: Thank you. The Department seeded all of this grant to double the number of charter school students. And given that the average grant across New Hampshire that follows that student, the charter school is now over \$4,200 a year, and that totals \$17 million a year. That would be (Inaudible). My question is has the Department specifically calculated what might be any marginal savings to the School District Budgets to offset the loss of the \$17 million a year in State Education Aid to our cities and towns?

MR. EDELBLUT: Yes. So thank you for that question, Senator Rosenwald. And what I will tell you is the Department has actually published a policy, a brief on this grant that goes through a comprehensive fiscal analysis to be able to understand what the implications are of that grant. And in that white paper we basically go through how school -- local school districts' budgets would be affected, and we also go through how those school districts would be able to adjust their fixed expenses if students are leaving those public schools. And then we also go through some various scenario calculations that anticipate that school districts may require a period of time to adjust their fixed costs and in -- even with those adjustment periods for the fixed costs that you're referring to, as students may leave the traditional public school and go to a public charter school, there are still tax advantages to New Hampshire taxpayers of a significant magnitude.

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CHAIRMAN WEYLER: Is there a follow-up, Senator? Senator Rosenwald, has your question been answered?

SEN. ROSENWALD: Sorry, I was on mute. No, thank you, Mr. Chairman.

CHAIRMAN WEYLER: Okay. Do you wish further information, Senator Rosenwald?

SEN. ROSENWALD: No, thank you.

CHAIRMAN WEYLER: All right. Representative Ober has the next question.

REP. OBER: Thank you, Mr. Chairman. I actually have a couple of questions. Commissioner Edelblut and I started a discussion at the Governor's Budget hearing, and I want to ask a couple questions related to that. And, basically, at the Governor's Budget Hearings just to recap for people who weren't standing in the hall listening to it, I was talking to him about the fact that we need to find a way, because I support charter schools, that every public school pupil has equitable funding. For example, we have a law that says there's a Statewide Education Property Tax that will provide money per pupil -- per public school pupil, and yet we don't follow that. This year that average has been about \$2,170 per LBA.

However, charter school students are public school pupils and we are not following the law because we're not giving them that. I was talking to Commissioner Edelblut about needing some leadership under the Commissioner's position to work out the equitable funding situation. Because every public school pupil gets \$3,882 Adequacy grant this year, except if you go to a public charter school, then you got \$7,168. So we've been sued because education funding isn't equitable. And I want to see charter schools go forward.

So I was asking the Commissioner, and by now he's had about three weeks to think of some answers; one, how can we start getting the Statewide Education Property Tax out to every public school pupil, which would, of course, be able to take \$2,000 right off the top off of the extra money that we're giving the charter school public student. And how can we increase the funding for all of our public school students to see that it is equitable because we -- Republicans pass this, Democrats vote against it. We need to find a way to come together to provide adequate education for everybody. And so, Frank, if you could tell us your thoughts about providing this leadership and getting this going on this so that we stop having this party line divide, I would be so grateful.

MR. EDELBLUT: So thank you for that question, Representative. And I do appreciate it and I appreciated our conversation that we had previously.

I think at the time of our conversation the report was not yet out by the Commission to Study School Funding. Since our conversation, that report has come out, and there have been a number of conversations about various legislative fixes that I know are -- I don't know what the statuses of those bills, but I know they're in the works, to really address specifically some of what you are talking about. And I think the -- the goal is really, as you point out, to make sure that we are funding students, right. That's what we are trying to do. We are trying to fund students and their educations and a lot of the conversation and the bills that are being discussed, I think, are focused on that to make sure that it is equitable across the state for all students involved in our public education system.

REP. OBER: I'm sorry, that doesn't answer my question. My question was what will the Commissioner of Education do to start getting this through? I understand the Legislature's got some schemes, but we need some leadership from our top education guy and, unfortunately, we look to you for that and I've been pleased with your performance so I'm continuing to look to you for that. I want to know what you're going to propose.

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MR. EDELBLUT: So what I will continue to support is the idea of education funding on a per pupil basis that allows funding to follow students so then we can have an equitable system that allows students to access public educational options, irrespective of the zip codes in which they live, and allows all families to access those opportunities.

REP. OBER: One follow-up, Mr. Chairman. Could we ask the Commissioner of DOE to just put a white paper together on that to answer Senator Rosenwald's question. One, could we get a copy of that white paper; and, two, could we ask him to put together a white paper with his thoughts of providing equitable funding for all public school students so we can get out of this and we can actually make charter schools a viable part of our public education and stop having party line votes. I would greatly appreciate that.

CHAIRMAN WEYLER: I believe the request has been entered with the Commissioner, and I'm sure he will respond through the LBA. Is that so, Commissioner?

MR. EDELBLUT: That's correct. Thank you, Representative. We're happy to support in any way we can.

CHAIRMAN WEYLER: Very good. Any further questions, Representative Ober?

REP. OBER: No, thank you, Mr. Chairman. I'm just concerned about that elephant in the room which is always the inequitable funding that we give to our public school students. You know, recently deceased leader, Representative Hinch, said let's have unity and I'm with that. And let's unify and make charter schools viable so we can all support them.

CHAIRMAN WEYLER: Thank you. Representative Leishman for a question.

REP. LEISHMAN: Thank you, Mr. Chairman. And I want to thank Representative Ober for her thoughtful question. I would also like to thank the Commissioner who provided me with another 25 audits of our existing public charter schools, and I had a chance to go through those audits and also the web sites of the charter schools which, you know, set out some very lofty goals. And the thing that struck me, Commissioner and Fiscal Committee Members, is we still have this considerable uncertainty about the funding which, in a way, Lynne touched on with her question. And I found that, you know, we've got a number of schools that are relying heavily, some as much as 97% of the funding to keep their charter schools open. And what's happened is that a number of charter schools have maximized their lines of credit, board members have loaned money to these schools.

So my concern, and I don't know if the Commissioner could address this further, is that with the things I've mentioned and even declining donations that these schools are getting and the \$7100 per student that the schools are getting from the State, by adding additional charter schools how won't that even weaken the availability of funds for the existing public charter schools that we already have that we really should be propping up and the impact that has on our traditional public school? Thank you, Mr. Chairman.

MR. EDELBLUT: So I would come back to -- sorry, go ahead, Ken.

CHAIRMAN WEYLER: No, I recognize you, Commissioner. Go ahead.

MR. EDELBLUT: Okay. So I would go back to the white paper that we produced that addresses how these schools, both our traditional schools and our public charter schools, can thrive as we continue to move forward through this grant opportunity to them. And, essentially, what we're seeing is there's a difference in terms of the charter school's ability to deliver education in a different model. That's the very nature of charter schools that they are innovation, they are different

approaches in terms of how they go about delivering that instructional model. And oftentimes they are able to do that with lower funding levels.

The average funding for a traditional public school student is 19,720. The average per pupil student in a public charter school is 9,473. And a lot of that is because of the innovation that we're seeing in those public charter schools. And we want to continue to create a system that encourages and stimulates that innovation and continues to do that in our public charter schools because we learn things through that innovation that we get to transfer, both among the public charter schools, but as well among our traditional public schools.

I would further point out that the traditional public schools, and I reiterated this a number of times, are eligible for these \$46 million innovation grants. We have, again, you know, previously we had some traditional schools reaching out to us who had expressed interest in these grants. Knowing that this was coming to Fiscal we have had traditional public schools who have, again, reached out to us and expressed interest in accessing the funding to help innovate in their traditional instructional models, and they are making inquiries about how they might access some of those grant opportunities.

CHAIRMAN WEYLER: Very good. Are there any further questions?

MR. KANE: Sorry, Representative, we have Senator D'Allesandro and Senator Bradley have their hands raised.

CHAIRMAN WEYLER: Okay. We'll start with Senator D'Allesandro for a question.

SEN. D'ALLESANDRO: Thank you. Thank you, Mr. Chairman. And thank you, Representative Ober, Representative Leishman, and Senator Rosenwald for your queries. My query is this. At a time when we have declining enrollments, we're talking about creating more schools. At a time when we are in the middle of a virus

situation, where we can't get kids to school because of the problems that -- that we're facing, we are looking to add more schools. It makes no sense to me, makes no common sense to me to move -- to move in this direction. And it seems to me that the one thing that we should be doing is shoring up our public education system so it can provide the education that our students, I think, at this -- at this point in time students across the board, whether you're in a public school or charter school, your educational experience is de minimis compared to what it should be. And we're suffering across the board as a result of this.

And in my opinion, we should be making every effort to shore up our public education system, rather than to expand charter schools and that's my -- that's my statement and I appreciate -- I appreciate everybody's concern. I think we all should have concern.

We've had children in schools, we have a number of our constituents who are in these schools who are not getting -- who are not getting education as we speak. Kids are dropping out of schools. Just relate to the program on *60 Minutes* where one School District in the south, 7,000 kids were unaccounted for in the district, and they had to send social workers out to find them. That's the problem that I think we should be addressing, never mind the expanding charter schools at this point in time.

Thank you very much, Mr. Chairman. And, again, congratulations on your chairmanship. I hope your health is terrific and I'm looking forward -- I'm looking for a great -- a great two years. Thank you.

CHAIRMAN WEYLER: Thank you, Senator. I am as well.

REP. LEISHMAN: Here, here.

CHAIRMAN WEYLER: Any comment? Thank you all. Any comment, Commissioner Edelblut?

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MR. EDELBLUT: I appreciate the Senator's perspective. I would tell you that during the Pandemic what we have seen is a number of families who have made the choice to go to many of our public charter schools who have seen increased enrollments during this period of time as families are seeking educational environments that they think are responsive to the learning needs of their children. And so I, again, would reiterate if the Pandemic has, and I've said this before, which is what I'm reiterating, if the Pandemic has taught us anything, it's the importance of creating options for our families, options for our students so that they can engage, they can find a way to have a pathway to their education in which they can be successful.

CHAIRMAN WEYLER: Thank you. And we had a question from Senator Bradley.

SEN. BRADLEY: Yes, thank you very much, Mr. Chairman. I mean, Commissioner, the answer that you just gave before about the impact of the Pandemic, and the need for innovation and education, isn't that why there's some 1300 students across New Hampshire waiting for placement in a charter school?

MR. EDELBLUT: That's true. That we have a wait list at many of our schools and at many of our grade levels for students who believe that they can be more successful in a different learning environment and so they are seeking those options. And, again, as you point out, there's a wait list to get into those options.

SEN. BRADLEY: And, Mr. Chairman, if I could ask a further question?

CHAIRMAN WEYLER: Yes.

SEN. BRADLEY: Given my understanding of how the Adequacy formula works and how, you know, we apportion dollars for our traditional public schools, it goes on a per pupil basis. So, in other words, a school that has more students receives more funding, and that's the way our system works. So if that's the case, isn't it illogical, Commissioner, to assume that if

students leave and go, whether it's home schooling, charter school, something else, that there wouldn't be savings and variables costs? Isn't it illogical to assume that doesn't happen?

MR. EDELBLUT: So, also, as an accountant, I would tell you yes, you would imagine that if you're no longer responsible for the education of a student that you would have fewer costs to expend to educate since you're not responsible for that education. We also acknowledge that there are fixed costs associated with schools and we have modeled those in a number of scenarios. And even affording, you know, generous amounts of time to adjust those fixed costs, this charter school grant and the expansion of charter school opportunities in the state will save taxpayers funding.

SEN. BRADLEY: So if I can ask another question, Mr. Chairman. I think the question by my esteem colleague, Senator D'Allesandro, is maybe not the right question that – and, Commissioner, if you can opine on this – that charter schools which are public schools in New Hampshire and traditional public schools, obviously public schools should be seen as working collaboratively for the best outcomes for our children, because children, as you have stated previously, Commissioner, need different opportunities and choices. And by virtue of having a robust charter school system both public schools, charters and traditional, can work together; isn't that the case?

MR. EDELBLUT: That is the case and that's exactly where we want to be. We are creating kind of this innovative education public education system in which all parties benefit as we can all continue to transform the way that we engage students so that all of those students have the opportunity for success.

SEN. BRADLEY: Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Thank you. Any further questions? Seeing none. We have a motion.

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIRMAN WEYLER: Not at this time. Seeing none, we have a motion and a second to accept the proposed grant. The Clerk will call the roll. If you're in favor, you'll state yes. If you're opposed, you'll state no. The Clerk will call the roll.

REP. UMBERGER: Representative Ober.

REP. OBER: Well, to no one's surprise my answer is yes.

REP. UMBERGER: Representative Leishman.

REP. LEISHMAN: No.

REP. UMBERGER: Representative Emerick.

REP. EMERICK: Yes.

REP. UMBERGER: Representative Umberger. Yes. Senator Daniels.

SEN. DANIELS: Yes.

REP. UMBERGER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. UMBERGER: Senator Hennessey.

SEN. HENNESSEY: Hennessey yes.

REP. UMBERGER: Senator Rosenwald.

SEN. ROSENWALD: No.

REP. UMBERGER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Thank you. As to Representative Ober's comments, to no surprise my answer is no.

REP. UMBERGER: Representative Weyler.

CHAIRMAN WEYLER: Yes.

REP. UMBERGER: The vote is seven yes, three no.

CHAIRMAN WEYLER: Seven yes, three no. The motion passes.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: Congratulations, Commissioner Edelblut. We expect you to do your usual fine work. Thank you.

MR. EDELBLUT: Thank you very much.

(5) Miscellaneous:

CHAIRMAN WEYLER: All right. Moving on. We next have -- let's see, we have adopted the -- we accepted the -- LBA, is there any other further information to come before us? Mr. Kane, I understand --

REP. OBER: What about the CAFR?

CHAIRMAN WEYLER: We're going to talk about the reports that are due. I'll recognize --

REP. OBER: (Inaudible) CAFR?

CHAIRMAN WEYLER: Who's asking (Inaudible).

REP. LEISHMAN: Leishman.

CHAIRMAN WEYLER: I heard the voice of both Ober and Leishman. Representative Ober, did you have something to add?

REP. OBER: I was curious. This is the month Fiscal usually is asked to release the CAFR. I wondered where we were in that process?

CHAIRMAN WEYLER: That's what I'm about to do as I recognize Mr. Kane. Representative Leishman.

REP. LEISHMAN: Yeah, I just wanted to before we ended to speak to the passing of Dick Hinch. When you think that's appropriate, Mr. Chairman, I would just like to add a few comments.

CHAIRMAN WEYLER: I appreciate that. After Mr. Kane's presentation we will get to that. Mr. Kane is recognized.

MR. KANE: Yes, thank you very much. Under Miscellaneous as Representative Ober had mentioned, this is the time of year that the CAFR will be released. They are on track to release the CAFR as well as the Turnpike, Liquor, and Lottery Annual Reports by the end of this month. I respectfully request the Committee to accept, place on file, and release the Fiscal Year 2020 Comprehensive Annual Financial Report and the Turnpike, Liquor, and Lottery Annual Report when they become available.

CHAIRMAN WEYLER: I recognize Representative Umberger for a motion.

** REP. UMBERGER: So move.

SEN. D'ALLESANDRO: And I'll second that motion.

CHAIRMAN WEYLER: All right. A motion and a second to accept the reports, place them on file, and release in the usual manner. Further discussion? Seeing none, the Clerk will call the roll on the acceptance of the reports.

REP. UMBERGER: Okay. Representative Ober.

REP. OBER: I'd like to say, Mr. Kane, thanks to everybody for getting the audits out and yes.

REP. UMBERGER: Representative Leishman.

REP. LEISHMAN: Yes.

REP. UMBERGER: Representative Emerick.

REP. EMERICK: Yes.

REP. UMBERGER: Representative Umberger. Yes. Senator Daniels.

SEN. DANIELS: Yes.

REP. UMBERGER: Senator Bradley.

SEN. BRADLEY: Yes.

REP. UMBERGER: Senator Hennessey.

SEN. HENNESSEY: Hennessey yes.

REP. UMBERGER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. UMBERGER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes. Yes.

REP. UMBERGER: Representative Weyler.

CHAIRMAN WEYLER: Yes.

REP. UMBERGER: The vote is 10 yes, zero no.

***** {MOTION ADOPTED}**

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CHAIRMAN WEYLER: The motion is approved. Next call upon Representative Leishman for a comment.

REP. LEISHMAN: Thank you, Mr. Chairman. Good job on your first day. I had the pleasure -

CHAIRMAN WEYLER: Sorry about the rocky start.

REP. LEISHMAN: What's that?

CHAIRMAN WEYLER: Sorry about the rocky start.

REP. LEISHMAN: Oh, no, that's not your fault. We'll blame AT&T or somebody for that.

Now I had the pleasure of getting to know Dick Hinch back in 2018. Several of us, including Senator Daniels, were appointed to the Regulatory Reform Steering Committee by the Governor and I could tell you that I guess I was the lone Democrat on the Committee, but Dick Hinch made everyone feel welcome. We worked on legislation that we all got behind. I believe even Senator Bradley signed onto our bill at the time. But Dick Hinch was just a super, super gentleman in my mind and a super legislator. He knew how to bring people together.

And a more personal story. When my son passed away, I looked up at the memorial service and there was Dick Hinch. And he came over and gave me this huge bear hug, and I'll never forget him for that. So I just wanted to say we've lost such a terrific colleague and the House is worst for it.

CHAIRMAN WEYLER: I agree. And the fact he was unanimously elected, both in the caucus and in the House, was testament to his personality that we all recognized as being a very open and very charming person, and it's a terrible loss to the state. Anyone else?

SEN. D'ALLESANDRO: Well said by Representative Leishman. Well said by Kenny Weyler. Yeah. Any time -- any time you lose someone it's -- it's problematic. It's a real tragedy. But Speaker Hinch's situation eight days as Speaker of the House of Representatives, just a great tragedy, and our sincerest condolences to his family.

CHAIRMAN WEYLER: Very good.

REP. OBER: Mr. Chairman, the minutes perhaps should provide that every member of Fiscal is in agreement with the remarks that have been said.

CHAIRMAN WEYLER: Thank you very much. I think that's appropriate to go in the minutes. Is there anything further? I will recognize Mr. Kane for a recommendation for the next Fiscal meeting.

(6) Date of Next Meeting and Adjournment

MR. KANE: Sure. The Committee can either meet the second week in January, January 8th, or the third week is January 15th. You may want to consider January 15th. It does give the Agencies enough time to submit to our office for review.

CHAIRMAN WEYLER: Uh -- you're talking Wednesdays or Tuesdays rather, right?

MR. KANE: Would you like -- typically Fiscal has met on Fridays. It doesn't have to continue.

CHAIRMAN WEYLER: Fridays. I'm looking at the wrong calendar.

MR. KANE: Oh, that's okay. So Friday the 15th.

REP. OBER: I like the 15th.

CHAIRMAN WEYLER: All right. Anybody else want to chime in on the 15th?

SEN. D'ALLESANDRO: I like the 15th.

CHAIRMAN WEYLER: Sounds good to me.

REP. LEISHMAN: 15th is good.

CHAIRMAN WEYLER: All right. So the next meeting of this Committee will be January 15th, 2021. And I expect we'll have some items on the agenda by then. So I wish everyone some great Merry Christmas, happy holidays, and we'll see you in the next year.

SEN. D'ALLESANDRO: Thank you, Kenny. Merry Christmas. Happy Hanukkah to all of our Jewish friends and to everyone else a very Merry Christmas and a most happy and prosperous New Year. I'm very happy to get rid of 2020 and move to 2021.

REP. LEISHMAN: Ditto on that.

SEN. HENNESSEY: Ditto, yeah. (Inaudible).

REP. UMBERGER: Who's doing the motion to adjourn?

****** SEN. D'ALLESANDRO: I'll do it.

CHAIRMAN WEYLER: Senator D'Allesandro. A second is from?

SEN. HENNESSEY: Hennessey.

REP. OBER: I think we can adjourn by consensus. Didn't we adjourn by consensus?

SEN. D'ALLESANDRO: We'll adjourn by consensus.

CHAIRMAN WEYLER: We will adjourn by consensus. Any objection? Seeing none, we are adjourned. Thank you very much. Bye.

(The meeting adjourned by consensus at 11:15 a.m.)