

JOINT LEGISLATIVE FISCAL COMMITTEE

Legislative Office Building, Rooms 210-211

Concord, NH

Friday, June 20, 2025

MEMBERS PRESENT:

Representative Kenneth Weyler, Chair

Representative Gerald Griffin

Representative Jess Edwards

Representative Mary Jane Wallner

Representative Peter Leishman

Senator James Gray

Senate President Sharon Carson

Senator Regina Birdsell

Senator David Watters

(1) Acceptance of Minutes of the May 16, 2025 meeting

(2) Old Business:

CONSENT CALENDAR

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

(4) RSA 9:16-a, Transfers Authorized, and RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000 from any Non-State Source:

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

(6) 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:

AMERICAN RESCUE PLAN 2021
CONSENT CALENDAR

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

KENNETH WEYLER, State Representative, Rockingham County, District #14: Good morning. We'll call the Fiscal Committee meeting to order for June 20th, 2025; and we have a lengthy Consent Calendar that goes Tabs 3 through 8. It contains twenty items. There's requests to remove under Tab 4 item number 158, and under Tab 8, number 146. So those will be questions for Health and Humans Services, as well as probably Commissioner Caswell. Is he here? Yes. All right. Didn't quite see you. So when we come to those we'll be doing that.

All right. We'll start with Tab 1, the acceptance of minutes of the May 16th meeting.

** JAMES GRAY, State Senator, Senate District #06:
So move.

CHAIRMAN WEYLER: Motion to accept. Is there a second?

JESS EDWARDS, State Representative, Rockingham County, District #31: Second.

CHAIRMAN WEYLER: And a second. Is there any discussion or any additions or corrections? Seeing none, are you ready for the vote? All in favor say aye? Opposed no? That is adopted.

PETER LEISHMAN, State Representative, Hillsborough County, District #33: I'll abstain.

CHAIRMAN WEYLER: And Representative Leishman will abstain due to not attending. Okay. Moving on to Tab 2. Uh -- it's Old Business. As nobody wants to

remove anything from Tab 2, we'll move on to Tab 3, the beginning of the Consent Calendar, which I've said goes --

****** SEN. GRAY: Move the Consent Calendar with the two items previously talked about to remove.

CHAIRMAN WEYLER: Very good. All right.

REP. EDWARDS: Second.

CHAIRMAN WEYLER: Motion and a second to adopt the other items on the Consent Calendar. Any additions or corrections? Seeing none, all in favor say aye? Opposed no? Those are adopted.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: We'll move on to --

GERALD GRIFFIN, State Representative, Hillsborough County, District #42: Who seconded?

CHAIRMAN WEYLER: Who made the second?

REP. EDWARDS: I did.

CHAIRMAN WEYLER: Representative Edwards. We'll go to Tab 4 and ask someone from Health and Human Services to come forward. Usually see Mr. White.

CHRISTINE SANTANIELLO, Associate Commissioner, Department of Health and Human Services: Good morning. Chris Santaniello, Associate Commissioner.

NATHAN WHITE, Chief Financial Officer, Department of Health and Human Services: Good morning. Nathan White, Chief Financial Officer.

CHAIRMAN WEYLER: Thank you. Representative Edwards is recognized for a question.

REP. EDWARDS: Uh -- thank you. I -- I have -- I have three of them that she can probably fit together in just one answer. So this -- this is \$5 million. That's good for our nursing homes. I -- I'm -- I'm curious about the background and the future a little

bit, though. Um -- this seems like a large number. What -- what kind of a percentage is it of the total annual long-term services support budget? Um -- and then I'd like to have you tell us when you realized that there was a shortfall or whether this was driven by the fact that we had an opportunity for more federal money. I'm just curious about that and the implications for the future. Are we -- are we going to be short going into the next budget year already or -- or how -- how we fixed for projections?

MR. WHITE: Sure. Thank you, Representative Edwards, for the question. So, this request is to move -- um -- additional funds for the nursing facility payments. Uh -- these are both the private and county facilities. Uh -- this is part -- the -- the funding for this is a combination of the federal matching dollars, the County Cap Funds that are contributed by the counties, and then the remaining General Funds.

This is the third transfer in State Fiscal Year 25 that we have brought forward to move money, the third and final transfer. We were holding off to make sure that we didn't transfer more funds than were needed.

Um -- this has a bit of a complicated story. Last year in State Fiscal Year 24, we also had some additional transfers. Our original -- and this goes all the way back to August of 2022. Um -- our original agency estimates were about \$281 million in Class 504, which is what this money will be used for, for the nursing facility transfers. The actual budget ended up being \$242 million, and with this transfer this would put the projected expenses at approximately 281 million.

The Agency Budget Request for these class lines for the current year -- um -- has remained steady and did not -- was not modified through the budget process. So based on the estimates, both from August of 2025, as well as a recent rate analysis just a couple of weeks ago, we expect to be right around the realm that is budgeted based on the assumptions that we see today.

The current biennium, you know, we -- we -- our original assumptions were not necessarily reflected in the budget. They are today.

REP. EDWARDS: Yeah.

MR. WHITE: So we don't -- we don't expect there to be these high transfers going forward in the future.

REP. EDWARDS: Thank you.

CHAIRMAN WEYLER: All right. I'll entertain a motion to adopt item FIS 25-158. Motion by Representative -- Senator Blaisdell, seconded by Representative Wallner. Any further --

SEN. GRAY: Birdsell. Birdsell.

CHAIRMAN WEYLER: Did I do that again? Birdsell. I can't believe I didn't say it right. All right. Sorry about that. You know -- you know I have something stuck. Anyway, any further discussion? Seeing none, all in favor say aye? Opposed no?

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: We'll move -- you might have a comment on this line under Tab 8. Um -- or no. Yeah, Tab 8, number 25-146. I think this is something that you wanted a corrections to. So on page -- on the third page the request I received was tab -- was -- uh -- number line seven. The request was to remove this item in its entirety on Tab 7. Is that correct?

MR. WHITE: Um -- so following -- um -- the budget we began preparing for Fiscal yesterday, and we identified an issue. Um -- that is correct. So in Attachment A, row seven, we're requesting that this be removed. This was an oversight on our part. This was part of the \$80 million. So all of those positions in the funds are -- are no longer an issue and that has been resolved. So we just wanted to bring this forward in full transparency just to -- just to make sure that -- that the official record is accurate.

CHAIRMAN WEYLER: Thank you. Any further questions from Committee members? I'll entertain a motion. Senator Birdsell moves.

SEN. GRAY: Wouldn't the action be there's no action?

CHAIRMAN WEYLER: Well, the action is to remove it.

MR. WHITE: The other -- the remaining lines, rows one through six and eight through eleven are -- are still relevant. So we would still request that -- that the requested action apply to those, just not row seven.

CHAIRMAN WEYLER: So the motion by Senator Birdsell is to accept the item with the exception of line seven and --

MR. WHITE: Yes.

CHAIRMAN WEYLER: -- Representative Wallner seconds. Is there any further discussion? Seeing none, all in favor say aye? Opposed no? And if Commissioner Caswell is available.

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: There were some questions kind of general on -- on the ARPA funds.

REP. EDWARDS: Mr. Chair, I just want to throw a comment out. I think this is our last Fiscal Committee of this -- this --

CHAIRMAN WEYLER: Of this year, yeah.

REP. EDWARDS: And I just want to thank Mr. White and the whole staff for staying on top of these things. I mean, this was, I think, today an example of the fact that they could have -- they could have hung up their sneakers and stopped; but instead, you know, they kept running through the tape and finding things that we need to fix. And so it speaks well of the dedication and professionalism of that whole team.

CHAIRMAN WEYLER: Yes. We -- we're all grateful, especially to Mr. White. You're exceptional in carrying out your position.

Okay. Question for Commissioner Caswell. Was it -- was it Representative Leishman? Somebody had questions about the whole ARPA thing and -- and all these rearrangement of all these dates. Are we going to make the deadlines?

TAYLOR CASWELL, Commissioner, Department of Business and Economic Affairs: Yes.

CHAIRMAN WEYLER: But some of -- and they are actually into Fiscal Year 2027 at the end of June 2026?

MR CASWELL: So everything has to be expended by December 31st, 2026.

CHAIRMAN WEYLER: 2026.

MR CASWELL: So the item here, 163, is designed to keep the spending authority going for the remaining projects that still have those funds to -- to expend.

CHAIRMAN WEYLER: So we're curious about these items. Some of them we've seen every year, '22, '23, '24.

MR. CASWELL: Yeah.

CHAIRMAN WEYLER: Is this because they're not ready for it? They can't come up with a project that will be completed? Does the money keep shifting from project to project?

MR CASWELL: No. In most cases -- I mean, if there are going to be shifts within -- any shifts within previously obligated contracts, you will hear about those; right? So but -- um -- this is all existing, ongoing, largely capital projects that are just taking time to get done. And some of them might be done next month. Some of them might be done in another year. But we need to be able to accommodate their ability to continue to pay those contracts.

CHAIRMAN WEYLER: What will happen if they're not completed by December 2026?

MR. CASWELL: Well, I'm -- we are doing everything we can at GOFERR to keep that from happening as you know. Um -- but were there to be any funds that were left at the end of that period, it would -- it would go back to the federal government.

CHAIRMAN WEYLER: And if something is half built?

MR CASWELL: As long as we are able to expend and the project ultimately is completed, that fits the requirements.

CHAIRMAN WEYLER: Okay. Further questions from Committee Members? Okay. I guess we have adopted the item, and we just had some further questions. We saw all these ARPA items continuously.

MR CASWELL: Still floating around out there. We'll be done soon though, hopefully.

CHAIRMAN WEYLER: I don't envy your job of juggling.

MR CASWELL: Yeah, I appreciate that. Thank you, Mr Chair.

REGULAR CALENDAR

(9) Chapter 79:11, Laws of 2023, Department of Corrections; Transfer Authority:

CHAIRMAN WEYLER: All right. Thank you very much. I guess we can move on to the Regular Calendar in Tab 9, item 25-151.

SEN. GRAY: The Interim Director probably ought to come up because there will be comments at least on ten, if not on Tab 9, also.

CHAIRMAN WEYLER: Good morning.

JOHN SCIPPA, Executive Director, New Hampshire Police Standards and Training, and Interim Commissioner, Department of Corrections: Good morning, Mr. Chair, and Members of this body. For the record, my name is John Scippa. I'm the Director of New Hampshire Police Standards and Training, and the Interim Commissioner of the Department of Corrections. With me today is -- uh -- Director Lisa Stone who oversees the finances.

CHAIRMAN WEYLER: Questions from Committee Members. Representative Leishman, then Senator Gray.

REP. LEISHMAN: Thank you, Mr. Chairman. I -- I welcome you to your new role, maybe temporary but welcome.

MR. SCIPPA: Thank you.

REP. LEISHMAN: So we all know that there's been a problem with staffing over time and so forth. And I read the comments that even people that are interested in being corrections officers is dropping, like, by 6% over last year. Um -- what about lay-offs? I did hear some talk that there's already been some lay-offs right now within the last couple weeks. Could you tell us what's going on there?

MR. SCIPPA: Uh -- thank you for the question, sir. Uh -- the lay-offs that were just -- uh -- and actually they haven't been executed fully, but those lay-offs have been noticed -- uh -- based on the proposed budget that is -- uh -- I guess, still being worked on. I know that it's -- uh -- it's been finalized. I guess it just needs to be approved and go to the Governor's Office. But -- um -- those -- those efforts were to address -- uh -- lay-offs that were part of the budget process for the next fiscal biennium.

REP. LEISHMAN: Further question?

CHAIRMAN WEYLER: Further.

REP. LEISHMAN: Could you tell us how many that includes that you've given notice to?

MR. SCIPPA: Thank you for the question. We -- uh -- I'm to understand that there's 18 that have received preliminary notice pending the -- the final approval of the next biennium's budget.

REP. LEISHMAN: Okay. Thanks. That's all I have, Mr. Chairman.

CHAIRMAN WEYLER: Representative Edwards for a question. Sorry, I had Senator Gray for next.

REP. EDWARDS: Oh, I'll defer.

SEN. GRAY: Certainly, moving \$10 million at the end of the year and with the budget implications we're already in a deficit. Whoop! Apparently, I hit -- didn't hit my button. We're already in a deficit situation. Um -- the Governor's budget estimated \$80 million. The House is estimated. So I think the

public deserves to know what's happening with 10 million, and then we'll get into the other two, which are actually requests for additional funds.

MR. SCIPPA: Thank you for the question. I apologize. I got to get to the cheat sheet here just to make sure that I'm conveying the information appropriately. Candidly, due to the staffing shortages that DOC is experiencing right now -- um -- that has been kind of a big piece to -- uh -- the impetus for this request. On top of that -- uh -- there was increases in pay through the collective bargaining agreements that were completed after last biennium's budget was established. And so those increases in rate of pay were not anticipated when the last budget was developed.

Uh -- on top of those increases through the collective bargaining agreement, there was also rates of pay that were changed where certain employees, correctional officers, were compensated at -- at a double time rate in an effort to be able to meet minimum staffing levels. All of those different variables have kind of come together and have necessitated this particular request.

CHAIRMAN WEYLER: Further question.

SEN. GRAY: Not at this time.

CHAIRMAN WEYLER: Representative Edwards for a question.

REP. EDWARDS: Thank you, Mr. Chair. This is -- this is sort of a soft question -- um -- about strategic leadership. At this point it seems apparent from, as an outsider, that the Corrections Department's probably suffering a great deal in morale. And I'm curious -- um -- coming in as an interim, what your perspective is on what -- what might need to happen to restore or build morale higher -- um -- and what sort of risks we have to our operations based on the current morale levels?

MR. SCIPPA: Thank you for that question, sir. Uh -- candidly speaking, there -- there are a lot of things that are going on right now. Uh -- there is a -- uh -- a change in leadership and that change has not

been completed candidly. My glide path is 90 days or less. The Governor's Office is working towards finding a -- uh -- a permanent leader to -- to step into this role. I think that we only need to look at what's going on in the media right now. I think the Department is receiving a lot of attention in the media and a lot of that is negative, whether there's -- to what level of veracity, you know, remains to be seen.

Candidly, the budget process has caused a lot of employees within the Department of Corrections to be very concerned about their -- their own livelihood and -- uh -- what is going to happen in the future -- uh -- not -- not really knowing what the final budget is going to look like -- uh -- for this next biennium. I think all of those things are posing significant challenges to the organization.

I think that the risks that exist that I have been able to identify in the short period of time that I have been there -- uh -- is that the Department of Corrections acts on behalf of the State of New Hampshire to meet statutory and constitutional obligations. Their inability through reduction in staffing or budget could potentially lead to negative impact to the State of New Hampshire with regard to litigation.

Uh -- we need to be able to build this organization back up. We need to draw employees to want to work for this organization. Uh -- that's going to take some time to change -- change the -- the trajectory of this organization. I think there's a lot of things that are still -- uh -- in kind of a precarious state. Uh -- I believe all of those things are -- are having an impact on -- on the overall, you know, outlook and -- and the morale of the rank and file.

REP. EDWARDS: So -- so that's a good summary of the current situation. I -- do you -- do you have any ideas about proactively what actions you might want to take over the next quarter?

MR. SCIPPA: The -- uh -- thank you, sir. The -- the direction that I have been given, you know, from the Governor's Office relative to my temporary role would be one to -- to maintain the day-to-day operations and to -- uh -- identify areas that maybe need some attention. To that end, I do not see myself as leading

a lot of change, quite frankly. And I think it's important to -- uh -- leave the -- the kind of the playing board as -- as -- as you would to the incoming commissioner and allow that new incoming commissioner to really develop a strong leadership team, and then execute relative to what that commissioner's vision will be moving forward for the agency. Certainly, I would stand ready to convey any observations that I have made in the short time that I have been there -- uh -- and certainly work hand in hand to conduct that hand off.

I think, ultimately, it's going to be really the vision of -- of that new Commissioner to -- to kind of set sail and put the rudder in the water and get people all on the same direction moving forward. It's a new chapter. Uh -- it's -- it's going to be a new way of doing business at DOC.

REP. EDWARDS: So -- so thank you for that. And I -- I -- I -- I wish you well. You just parachuted into a hostile environment and -- um -- I -- I -- uh -- I hope you keep -- keep your sense of self about you and keep moving forward. Thank you.

MR. SCIPPA: Thank you, sir.

CHAIRMAN WEYLER: Commissioner, the Committee -- the Governor's Committee on Government -- Government Efficiency had done some interviews within Corrections. They did not share that with us as we asked during the budget phase. Have they shared it with you and have they made any recommendations as a result of those meetings?

MR. SCIPPA: Thank you, Mr. Chair. Uh -- I -- I have had the occasion to meet with one of the members of COGE. We had, in my opinion, excellent discussion. There was some, you know, general observations that were shared with me that was very early on in my appointment to this position. Uh -- I have worked with the DOC staff to -- uh -- create opportunities for this representative of COGE to be able to come into the Men's Prison to interview folks that are line staff, certainly made the opportunity available for the COGE members to come into headquarters and also talk with the directors relative to each one of their responsibilities. Uh -- I have not received any kind of formal report. Uh -- my understanding is that -- that a report is still being

developed. I know that the tour of the prison was conducted, I believe, two days ago, and so I'm sure that that person that -- that represents COGE is still working on the final document. And then I -- candidly, I don't know what the process would be relative to the written work product, whether it needs to go through the Governor's Office first before it's -- um -- passed on to me.

CHAIRMAN WEYLER: I'm surprised that we haven't had things more earlier than this.

MR. SCIPPA: I -- I --

CHAIRMAN WEYLER: Especially bringing you in and they should have helped provide you with some of these ideas.

MR. SCIPPA: I -- I will say, sir, that the -- uh -- the conversation that I had with that member of COGE was -- was very helpful in the first instance. And, again, it was -- it was general anecdotal, and it was really kind of a conversation of, you know, areas of concern that that person wanted to look into and gather more information from DOC.

CHAIRMAN WEYLER: So -- um -- we hear a lot about the overtime and, obviously, we moved a lot of money around due to overtime. What is the overtime rate if someone's forced to do overtime? Is it double time?

MR. SCIPPA: I -- if -- if you would allow, sir, I'll ask Director Stone to respond to that. She's a whole lot better with numbers than I am. So I'll let her explain.

LISA STONE, Director of Finance, Department of Corrections: So it was negotiated in this collective bargaining that every uniform officer gets double time for any overtime work.

CHAIRMAN WEYLER: Double time?

MS. STONE: Yes.

CHAIRMAN WEYLER: Now, we saw that we didn't find out until we were doing the budget that there has been a reduction in the inmate population. Has that

led to any closing of a cell block or any section of the prison has been closed that could possibly have reduced the need for personnel and guards there?

MS. STONE: I believe we were able to close one section of the housing unit to not have to staff an upper level of the housing unit.

CHAIRMAN WEYLER: Did that -- did that save any jobs or were you already the jobs were short anyway?

MS. STONE: We were already short, so it saved people from being forced to work overtime.

CHAIRMAN WEYLER: So it didn't -- it didn't have much positive effect on people being forced to do overtime?

MS. STONE: It -- it did reduce that by, I would assume, several shifts a day from having to force for those --

CHAIRMAN WEYLER: I'm pleased that it reduced it, but it's still a huge item in your budget. Okay. Thank you very much. We got -- if there's no further questions on this, I'll entertain a motion to adopt.

** SEN. GRAY: I will have comments further on --

CHAIRMAN WEYLER: The next item.

SEN. GRAY: -- the issues, but I will move this item for approval.

CHAIRMAN WEYLER: Motion by Senator Gray, seconded by Representative Leishman to adopt FIS 25-151. All in favor say aye? Opposed no? That item is adopted.

*** {MOTION ADOPTED}

CHAIRMAN WEYLER: We'll move on to the next item.

(10) Chapter 106, Laws of 2023, Agency Footnote:

SEN. GRAY: If I may, Mr. Chair?

CHAIRMAN WEYLER: Yes.

SEN. GRAY: I'd actually to make a comment on both of the next items.

CHAIRMAN WEYLER: Okay.

SEN. GRAY: We've just gone through a long budget process, which is not over yet. These two items are going to increase the deficit of the State of New Hampshire by another \$1.1 million. The deficit right now in the Governor's Budget was over 80 million. The deficit in the House Budget was 147 or so million. The deficit in the State Senate Budget was closer to the Governor's Budget, but not as severe as the House. The lapses that came in last number I had was 47 million in the Governor's Budget. Um -- what is the lapse deficit right now?

MICHAEL KANE, Legislative Budget Assistant, Office of Legislative Budget Assistant: Hundred and eleven is the lapse estimate that was in the Committee of Conference report.

SEN. GRAY: Again, it's not these two items, because I don't believe that we have a choice in these two items. They're contractual things, things we have to do; but it is what the -- the Fiscal Committee is supposed to do is investigate things, and these two items ask for new money. It's another 101 million.

We have not in those budgets fully funded YDC. YDC right now has about \$20 million in the first year, and if we sell the property, then we're going to have another \$80 million. The claims that we are due to pay in the next two years are more than a hundred and twenty -- uh -- excuse me -- \$26 million. So it's not these two items. But these two items represent coming back and asking for more money when we're already in a deficit situation. That can't go on, and severe cuts have to be made or thought about in the next budget to make sure we don't get there.

So, with that, I'll stop. These two items are worthy. They're things we have to do. They provide, you know, healthcare. They provide all kinds of things, but it is the thing that we have to guard against. And in the next year, this Committee needs to take on seriously their role in watching those things. We need better way to look at what's going on in the lapses.

We need to take into consideration what's going on in the revenues coming in. Okay. Thank you.

CHAIRMAN WEYLER: Representative Edwards and then Representative Leishman.

REP. EDWARDS: Just sort of a quick reaction to the Senator's comments. It -- it -- are -- are -- there's an implication there that we might want to be asking for quarterly or semi-annual specific review. Uh -- I'm just curious if you think that's the natural outcome of your comments and are -- are this Committee's need to watch --

SEN. GRAY: Right now some of the things that you get in from various places give you estimates, but those estimates have not been worth the paper they're written on until we get later in the process. Again, that's my opinion. And this Committee, Health and Human Services, I sit on Health and Human Services Oversight. Certainly, those people know that I've said that we need to take a stronger look at the finances and how they're making with their lapse. Last I knew, their lapse was \$11 million that they weren't getting, and I have no idea about how that has either grown or shrunk since I asked for that several months ago. So, again, this -- this committee and the oversight committees that we have are part of the problem, that we're not doing enough to take on that role that is -- is our role in law.

CHAIRMAN WEYLER: Representative Leishman.

REP. LEISHMAN: Thank you, Mr. Chairman, and maybe following up on Senator Gray's comments as far as your -- the estimates. And, again, I know you're new at this; but, for instance, Hepatitis C, I think it said there were 99 inmates that were presently being treated at a cost of over a million -- almost a million dollars annually. Why do we have such a high rate of -- uh -- Hepatitis C and the cost? And then I guess there was a cancer or is a cancer patient, and his treatment's over a \$100,000 a year. So why weren't some of these figures factored into the budget process knowing that we apparently have a problem with Hep C, for instance, at the prison?

MR. SCIPPA: Thank you. I have the head of Pharmacy that's going to join me now, and thank you for the question. And I -- I -- I -- I think the global way to answer your inquiry is to -- is to say that -- uh --

the variable of health of each one of those inmates is unpredictable over a two-year period of time. And, you know, to that end, as -- as health changes with each one of these inmates, it -- it will necessitate different treatments that come with a cost.

Uh -- to that end, the Department of Corrections does the very best it can to kind of project to get an idea of what those medical costs and pharmaceutical costs will be. Um -- but -- but we just cannot predict what the needs will be over the next biennium. I would certainly ask our Chief Pharmacist to maybe speak a little more specifically to your question.

BEN CARBONE, Chief Pharmacist, Medical and Forensic Services, Department of Corrections: Thank you for the question. Uh -- Chief Pharmacist Ben Carbone. Uh -- when we look at the numbers, we try to do our best to estimate what might come into our population, and also what might get reinfected as far as HCV is concerned. Many of these patients leave our facilities, get reinfected, and then come back into our facilities; and, ultimately, we end up having to treat those individuals again. Sometimes we even end up having to treat those individuals more than once, depending on treatment failures and things along those lines.

Typically, when a treatment failure happens, we end up with more costly, more expensive medication on top of the previous treatment to properly treat those individuals.

REP. LEISHMAN: Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Senator Gray.

** SEN. GRAY: If there's no additional comments, I will move to approve item 25-152 and 25-153.

CHAIRMAN WEYLER: Motion and a second to adopt both items, 25-152 and 25-153. Further discussion? Any further questions? Seeing none, all in favor say aye? Opposed no? Those two items are adopted.

*** **{MOTION ADOPTED}**

MR. SCIPPA: Thank you, Mr. Chair. Thank you, Members.

MR. CARBONE: Thank you.

(11) RSA 162-H:21, Fund Established; Funding Plan:

CHAIRMAN WEYLER: Okay. I guess we're moving on to Informational items.

MR. KANE: You have one item under Tab 11.

CHAIRMAN WEYLER: One item, Tab 11.

MR. KANE: Site Evaluation Committee. Yes.

CHAIRMAN WEYLER: Tab 11. Public Utilities Commission, Site Evaluation Committee. Any questions on the item? Senator Watters moves to approve item 25-150. Is there a second?

SEN. GRAY: Um -- just since we've got them here, I'd like to --

CHAIRMAN WEYLER: Okay.

SEN. GRAY: -- have them say a couple of words.

CHAIRMAN WEYLER: After I get a second we'll turn to --

SEN. GRAY: I'll second it.

CHAIRMAN WEYLER: Second by Senator Gray. Welcome.

DREW BEAMER, Administrator, Site Evaluation Committee, Public Utilities Commission: Thank you. My name's Drew Beamer. I'm the Administrator of the Site Evaluation Committee. Um -- as you're probably aware, our financing comes mostly from applications for new facilities. Very recently, within the last year, we moved the Site Evaluation Committee into the Public Utilities Commission. That allowed me to make use of PUC employees to work on my dockets. It also made myself available to help the PUC on some of their work. The relationship so far has been going very well.

The issue that we've had that -- um --

explains the shortfall in the budget is that we've not had a lot of applications for new facilities, but there's still a lot of work to be done. A lot of work that I do falls under the category of case work, answering questions for the public. People call me up all the time and say, "I'm thinking about filing an application." People in the public call me up and say, "There's something going on in my neighborhood. Is somebody trying to build something?" And I take that part of the job, the stakeholder engagement side, extremely seriously. Um -- so I spend a lot of my time doing things like that interacting with the public.

So we developed a calculus of how my time was spent between the PUC and the SEC, and I believe, if I'm correct here, the sum that we're asking for represents the uncovered SEC portion.

CHAIRMAN WEYLER: Further questions. Okay. We have a motion and a second. Is there any further discussion? Seeing none, are you ready for the question? All in favor of approving FIS 25-150 say aye? Opposed no? Thank you very much. That item is adopted.

***** {MOTION ADOPTED}**

MR. BEAMER: Thank you.

(12) Miscellaneous:

(13) Informational Materials:

CHAIRMAN WEYLER: Now we can move on to Informational items. Any questions of Committee Members on any of the other informational items that we see after Tab 12? Representative Leishman.

REP. LEISHMAN: I have a couple of questions on Item 168. I don't know if anybody is here from the Youth Development Claims Administrator's Office or the Attorney General's Office.

CHAIRMAN WEYLER: Okay. Item 25-168 toward the back of that group.

MR. KANE: Sure. And if I may, Mr. Chairman? So we -- Jennifer Foley from the YDC Claims Administrator's here. She can come up. And then we

have Paige and Colin who are two of the auditors who work with Jennifer and the Attorney General's Office on the report. So if they all want to come up.

CHAIRMAN WEYLER: Okay. Why don't you all introduce yourself. Representative Leishman has questions.

REP. LEISHMAN: So I'm not sure which one of you could answer the question, but I see that Verrill Dana, LLP, has been hired as a consultant, I guess, and for \$2.3 million -- uh -- for '24 and two -- more than \$2 million for '25. Who are they, what are they doing, and why so much money?

PAIGE LORENZ, Audit Manager, Audit Division, Office of Legislative Budget Assistant: Paige Lorenz. I'm the Audit Manager who worked on the report. Um -- so Department of Justice can speak more about the details; but from our understanding, Verrill Dana is the contractor who reviews every single claim that comes to them with a complete date. So once the YDCCA has sent it over to the Attorney General side, Verrill Dana does an intake of every single claim that comes in, and then they determine whether it goes to the next process of making a recommendation to the AG designee of a position.

Once that happens, they may still be involved in the resolution proceeding process. So there's basically three parts of the process they could be involved in. The Department of Justice has made a flat rate for each one of those parts of the process.

JENNIFER FOLEY, ESQ., General Counsel, YDC Claims Administrator's Office: I don't have anything to add. Verrill Dana is a Department of Justice consultant, and so they would have to be the ones speaking to how they use them. We have our own consultants.

CHAIRMAN WEYLER: Further question.

REP. LEISHMAN: Is there a reason the Attorney General's Office couldn't do this versus sending it out to a private consultant for \$2.3 million?

ATTORNEY FOLEY: I think that's a great question for the Attorney General's Office.

REP. LEISHMAN: All right.

MS. LORENZ: And just to --

ATTORNEY FOLEY: I wish they were here.

MS. LORENZ: Just to add to that. Verrill Dana was involved with related litigation prior to the development of the YDCCA office. And they also helped set up the process with the Legislators to develop the claims administration process. So they were -- I -- I don't know if this is the reason, but they've been there early on since this was developed. Yep.

REP. LEISHMAN: Thank you. Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Thank you. Is there involvement by the Attorney General's Office in these same processes?

MS. LORENZ: Yes. Everything, like I said, from our understanding, everything that comes to the AG's Office is done through the intake through Verrill Dana. However, once it goes to the intake process, the AG designee touches or reviews everything that comes back to them. And there's thresholds that and substantive claims that they send forward to the actual Attorney General as well, depending on the value of the claim.

CHAIRMAN WEYLER: I would hope that after the hundreds of cases that have been reviewed that the Attorney General's expertise would finally be established where we don't need outside consultants.

SEN. GRAY: Uh -- Mr. Chair, there are changes in the budget trailer bill that affect the organization and how the organization is structured, who they report to. And so any discussion further for this year would be looking at history and say, oh gee, I should have. Uh -- right now we need to look forward. If the budget passes, those changes will be made, and there will be new responsibilities put on different people. So, I would caution you not to go too far in this discussion because some of those changes are already contemplated.

CHAIRMAN WEYLER: Thank you. Miss Foley, we see a fairly high administrative cost as well. How

many employees does that entail?

ATTORNEY FOLEY: So -- um -- we have -- uh -- four, what I call home-based -- uh -- employees that are full-time, including myself, a senior paralegal, and two administrative assistants. Um -- they're all four -- four full-time currently under the Judicial Branch as the statute is currently written. We also have two hearing teams that are active. Um -- Administrator Broderick is a full-time employee. And then we have two part-time employees that are assisting the hearing teams directly. They're part of the hearing team. Then we have two -- then from there we go into consultants.

CHAIRMAN WEYLER: How are salaries established?

ATTORNEY FOLEY: How are salaries established? For Administrator Broderick, the statute as it's written now specifically ties his statute to -- um -- a judge salary. I mean, I'm being a little bit informal in that phrase, but the statute expressly ties it to that. And then from there -- um -- for example, my salary or the other salaries are tied to Judicial Branch labor grades and steps.

CHAIRMAN WEYLER: Any further questions? Seeing none, thank you for your inputs.

ATTORNEY FOLEY: Thank you for the opportunity.

CHAIRMAN WEYLER: Anything further in the Informational items that Committee have questions on? Seeing none. We are unlikely with the budget just recently passed to have needs for a meeting in July. And I'm not sure yet about August, and we don't know what'll happen with the budget between now and then. So -- uh -- I'll entertain a motion from Senator Gray.

SEN. GRAY: Well, before I make a motion, there's a problem. If we go into a Continuing Resolution, there may be great need for a meeting in July. Okay.

CHAIRMAN WEYLER: Yep.

** SEN. GRAY: Because Departments will be coming in and wanting permission to do A, B, and C where there may not be permissions to do that. Okay. So the

suggestion is to have the next meeting at the call of the chair because we are unsure of when we would need to meet to meet the obligations that were in front of us. So that would be the motion to schedule the next meeting at the call of the Chair.

CHAIRMAN WEYLER: Is there a second?

REP. LEISHMAN: Second.

CHAIRMAN WEYLER: Second by Senator Leishman. Further discussion?

REP. EDWARDS: Just a minor one. I -- I understand the call of the Chair and the flexibility, but is there an idea that we could pencil in a tentative date so that people can start to plan? July is -- is supposed to be the -- we're off and we can be off into the wild blue yonder. It would be nice to have a tentative date.

SEN. GRAY: If -- if the budget is signed, I don't see a need to have a meeting in July.

REP EDWARDS: Right.

SEN. GRAY: It probably be the first or the second week in August. Um -- trying to split the difference, you know, between the two. The 11 o'clock has worked out very well for me.

REP. EDWARDS: Yeah.

SEN. GRAY: In -- in allowing me to do a couple other things in the morning before that. So I would say that the tentative dates would be that second Friday in August or the third Friday in August, you know, as we are doing.

REP. EDWARDS: And in the worst case --

SEN. GRAY: Mr. Kane is going to weigh in on this. All right.

REP. EDWARDS: In the worst case scenario if there's a CR, does that tentative date still work or should we do something sooner?

SEN. GRAY: As -- as best I know, and Mr. Kane can correct me after I make all these wrong statements, that if a -- if a Continuing Resolution is signed, in the past there have been department, after department, after department who have come in and asked Fiscal to approve certain things from other sources of funds that they -- we control, to be able to continue their operations the way they choose.

MR. KANE: And that's really very -- it's very hard to predict because it really depends on when the budget's passed, what's included, if there is a CR, what's included in that CR. So that does predict it.

Another reason to leave it to open to the call of the Chair because this office, this Legislative Office Building is being closed down. So even if you had a tentative meeting, you don't know where you're going to meet yet, so. But, typically, as Senator Gray said, after a budget's passed, there's no need for a July Fiscal Committee meeting. Everything's usually there.

You may receive some retro items in the second or third week of August, but typically that happens. All bets are off depending on what happens if -- depending on what happens with the budget because it really depends what's in the CR. What's the flexibility that the Legislature wants to give the agencies. What's the requests that are needed to get the agencies through whatever period. But, again, that's -- that can be anything and everything. So just kind of open at this time. I would think August is the earliest you would meet but that can always change. Yeah.

CHAIRMAN WEYLER: Thank you.

REP. EDWARDS: So I support the motion to delegate to the call of the Chair. I do appreciate also having some tentative dates because I -- I have plans I'm making.

CHAIRMAN WEYLER: I have some as well. Like 14th through the 20th of July.

SENATE PRESIDENT CARSON: We all do.

CHAIRMAN WEYLER: So all right. We'll -- what we'll do if there's a need to meet in July, we'll send

out some things to look for dates that we're all available but there's the motion. All in favor say aye? Opposed no?

***** {MOTION ADOPTED}**

CHAIRMAN WEYLER: Motion is adopted to the call of Chair for the next meeting. Is there any further items to come before us? Mr. Kane. I'll entertain a motion to adjourn.

****** SEN. GRAY: So move.

CHAIRMAN WEYLER: Motion by Senator Gray, second by Representative Leishman that the meeting is adjourned. Thank you.

(Meeting adjourned.)

C E R T I F I C A T I O N

I, Cecelia A. Trask, a Licensed Court Reporter in the State of New Hampshire, do hereby certify that said transcript is an accurate transcription of the official audio recording of the proceeding in this matter. I was not physically present at this hearing. I have transcribed said audio recording to the best of my professional skills and ability.

Cecelia A. Trask, RMR
NH LCR #00047