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New Hampshire
Department of Agriculture,
Markets & Food

Shawn N. Jasper, Commissioner

August 7, 2019

The Honorable Mary Jane Wallner, Chairman
Fiscal Committee of the General Court
State House
Concord, NH 03301

His Excellency, Governor Christopher T. Sununu
and the Executive Council
State House
Concord, NH 03301

REQUESTED ACTION

Pursuant to the provisions of Chapter 145, subparagraph I, (a), Laws of 2019, the Department of Agriculture, Markets & Food, requests authorization to exceed the 3/12 limitation of said resolution for the accounts listed on the attached analysis, in the total amount of **\$24,853**, to the extent shown as projected deficits for the period of Fiscal Committee and Governor and Council approval through September 30, 2019. **70% General funds, 11% Other Funds, 19% Federal funds.**

PERSONAL SERVICES PERMANENT - 100% General Fund

Account	Bureau/Division	Class	Cont. Res. Budget	Estimated Expenditures	Projected Deficit
02-18-18-180010-25000000	OFFICE OF COMMISSIONER	010	25,269	29,868	(4,599)
02-18-18-181010-26000000	DIV OF REGULATORY SERVICES	010	53,478	54,517	(1,039)
02-18-18-182010-27000000	DIV OF ANIMAL INDUSTRY	010	43,118	46,154	(3,036)
02-18-18-182810-29480000	BOARD OF VETERINARY MEDICINE	010	9,663	10,690	(1,027)
02-18-18-183510-21350000	DIV OF PLANT INDUSTRY	010	47,489	51,031	(3,542)
02-18-18-185010-28100000	DIV OF AGRICULTURAL DEVELOPMENT	010	15,738	17,394	(1,656)
02-18-18-185010-28100000	DIV OF AGRICULTURAL DEVELOPMENT	011	22,550	23,798	(1,248)
General Funding Source			217,305	233,452	(16,147)

PERSONAL SERVICES PERMANENT - 100% Federal Funding

Account	Bureau/Division	Class	Cont. Res. Budget	Estimated Expenditures	Projected Deficit
02-18-18-184010-21430000	CAPS PROGRAM	010	15,822	19,732	(3,910)
Federal Funding Source			15,822	19,732	(3,910)

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PERSONAL SERVICES PERMANENT - Mixed or Other Funding

Account	Bureau/Division	Class	Cont. Res. Budget	Estimated Expenditures	Projected Deficit
02-18-18-182510-27050000	ANIMAL POPULATION CONTROL	010	9,920	10,690	(770)
02-18-18-183010-21820000	INTEGRATED PEST MANAGEMENT	010	10,860	12,591	(1,731)
	Other Funding		19,885	22,386	(2,501)
	General Funding (270500000)		895	895	(0)

BENEFITS - 100% General Fund

Account	Bureau/Division	Class	Cont. Res. Budget	Estimated Expenditures	Projected Deficit
02-18-18-180010-25000000	OFFICE OF COMMISSIONER	060	28,494	29,490	(996)
02-18-18-182810-29480000	BOARD OF VETERINARY MEDICINE	060	4,325	4,560	(235)
02-18-18-183510-21470000	APIARY INSPECTIONS	060	60	90	(30)
	General Funding Source		32,879	34,140	(1,261)

BENEFITS – Federal Funding

Account	Bureau/Division	Class	Cont. Res. Budget	Estimated Expenditures	Projected Deficit
02-18-18-184010-21430000	CAPS PROGRAM	060	5,584	6,415	(831)
	Federal Funding Source		5,584	6,415	(831)

BENEFITS - Mixed or Other Funding

Account	Bureau/Division	Class	Cont. Res. Budget	Estimated Expenditures	Projected Deficit
02-18-18-182510-27050000	ANIMAL POPULATION CONTROL	060	9,505	9,708	(203)
	Other Funding		9,505	9,708	(203)
	General Funding Source (G)		251,079	268,487	(17,408)
	Other Funding Source (O)		29,390	32,094	(2,704)
	Federal Funding Source (F)		21,406	26,147	(4,741)
	Total Funding		301,875	326,728	(24,853)

EXPLANATION

The Department of Agriculture, Markets & Food (DAMF) respectfully requests that above expenditure classes in specific accounting units be increased for the amounts noted, in excess of the 3/12 limitation established pursuant to Chapter 145, subparagraph I, (a), Laws of 2019.

The deficits projected through the end of the continuing resolution, September 30, 2019, are the result of anticipated payroll and benefit obligations, which will exceed the 25% level of funding for FY 2019, as reflected in the DAMF agency budget request for the FY 2020-2021 biennium.

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The primary driver for the shortfalls expected in the payroll and benefit line, is the timing of the State's bi-weekly payroll processing schedule that places 7 pay periods in the 3 month span of the Continuing Resolution. (This seventh payroll is one of two extra monthly pay periods of our annual 26 pay period cycle, which places three FY 2020 payrolls in the months of August and January 2020.) Additional contributors to the shortfalls, unique to the personnel makeup of each accounting unit, may include one or more of the following:

- The effect of the hiring of any individual(s) at a higher level of pay or benefit plan than originally planned for in the FY 2018-2019 budget process.
- The effect of an additional salary increment (step) available for employees associated with the most recent collective bargaining agreements, versus the original budgeted projections.
- Longevity and benefit payments as the result of employee retirements or their decision to leave State service.

The list of shortfall contributors above, would normally be mitigated in part by the agency's ability to seek relief from the Salary Adjustment Fund (RSA 99:4) and or the Benefit Adjustment fund (RSA 9:17.c) for these unbudgeted but normal costs of conducting the State's business.

The two funds noted above would normally be populated by DAMF, from a general sweep request and action, to collect salary and benefit excess appropriations from each department, normally done on a quarterly basis. Given the short term of the Continuing Resolution, and the seventh pay period due to be paid September 27, 2019, excess funds are not expected to be available to be brought into the adjustment funds.

Listed below are answers to standard questions required of all Fiscal Committee item requests, related to RSA 9:16-a, "Transfers authorized", RSA 14:30-a, VI "Expenditure of funds over \$100,000 from any Non State Source", or RSA 124:15, "Positions Authorized", or both, and all emergency requests pursuant to " Chapter 145, subparagraph I, (a), Laws of 2019, making temporary appropriations for the expenses and encumbrances of the State of New Hampshire":

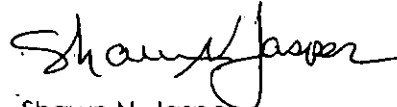
1. **Is the action required of this request a result of the Continuing Resolution for FY 2020?** Yes, this request is a result of the Continuing Resolution. This action would not have been requested if the FY 2020-2021 Operating Budget proposal had been approved.
2. **If this request is retroactive what is the significance and importance of the action being effective from an earlier date?** This request is not retroactive.
3. **Is this a previously funded and ongoing program established through Fiscal Committee and Governor and Executive Council action? (If so, include as an attachment the original documents as approved and cite the specific dates of authorization and end dates for each action as part of your answer to this question.)** This request is not related to prior Fiscal Committee and/or Governor and Council action.
4. **Was funding for this program included in the FY 2018-2019 enacted Budget or requested and denied?** Appropriate funding for salaries and benefits was requested and authorized in the FY 2018-2019 enacted budget.

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5. **Is this program in total or in part, included in the vetoed FY 2020-2021 Operating Budget proposal currently pending for your department, or was it requested and denied?** The total funding needs to support the salaries and benefits for DAMF were requested and included in the FY 2020-20201 Operating Budget proposal currently pending.
6. **Does this program include, either positions or consultants, and if so are the positions filled, vacant, or have offers pending? (Please provide details for each position and note whether consultant contracts have been awarded.)** This request is the result of the need for additional funding to support filled position costs associated the seven pay periods of the Continuing Resolution and other expected payroll anomalies, which occur annually, as well as positions posted and in the beginning stages of interviewing.
7. **What would be the effect should this program be discontinued or not initiated as a result of this request being denied?** The State is obligated to make payment to individuals for the work that they perform on our behalf. The denial of the request would necessitate that DAMF return to Fiscal Committee with a transfer request compiled from any allowable expenditure class line with identical funding to mitigate the anticipated shortfalls in these salary and benefit lines.

Respectfully submitted,



Shawn N. Jasper
Commissioner