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New Hampshire Commission for Human Rights



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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 New Hampshire Commission for Human Rights, requests authorization to exceed the 3/12th limitation of said resolution for the account listed below, in the total amount of **\$1,900**, to the extent shown as a projected deficit for the period of Fiscal Committee and Governor and Council approval through September 30, 2019. **74.30% General funds, 25.03% Federal funds, and 0.67% Other funds.**

PERSONAL SERVICES PERMANENT - Mixed or Other Funding

Account	Bureau/Division	Class	Cont. Res. Budget	Estimated Expenditures	Projected Deficit
02-76-76-760010-78820000	ENFORCEMENT	010	100,041	101,941	(1,900)
		Federal Funding	25,041	25,518	(477)
		Other Funding	671	684	(13)
		General Funding	74,329	75,739	(1,410)

EXPLANATION

The New Hampshire Commission for Human Rights (NHCHR) respectfully requests that the above expenditure class in the specified accounting unit be increased for the amounts noted, in excess of the 3/12th limitation established pursuant to Chapter 145, subparagraph I, (a), Laws of 2019.

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

The primary driver for the shortfall expected in the payroll 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 2019 and January 2020.)

The shortfall 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 the Department of Administrative Services, 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 actions.

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.

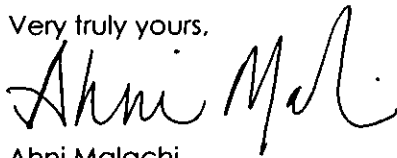
5. Is this program in total or in part, included in the vetoed FY 2020-2021 Operating Budget proposal currently pending for your department, or was it requested and denied? The total funding needs to support the salaries for NHCHR was requested and included in the FY 2020-2021 Operating Budget proposal 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.

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 NHCHR 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.

Thank you for your consideration of this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ahni Malachi". The signature is fluid and cursive, with a large initial "A" and "M".

Ahni Malachi
Executive Director