



New Hampshire Fish and Game Department

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

September 4, 2019

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

SEP0519 11:19:39 AM

REQUESTED ACTION

- Pursuant to RSA 215-A:23, IV and RSA 215-C:39, X, authorize the New Hampshire Fish and Game Department to **retroactively** amend Fiscal Item #FIS 18-006, approved by the Fiscal Committee on January 19, 2018, and by the Governor and Council on February 7, 2018 item #30A, by extending the end date from June 30, 2019 to September 30, 2019, and by adding an additional transfer of \$17,797 of unexpended funds from Excess Registration Fees, Account Number 20-07500-11830000-009-405928 to the Fish and Game OHRV Fiscal Year 2020 Continuing Resolution Operating Budget, effective upon Fiscal Committee and Governor and Council approval for the period of July 1, 2019 through September 30, 2019.

Funds are to be budgeted as follows:

03-75-75-752520 Law Enforcement Program

20-07500-11830000 OHRV Education, Training and Enforcement Fiscal Year 2020

Class	Account	Description	Current Budget	Change	Revised Budget
010	500100	Personal Services - Permanent	31,100	0	31,100
018	500106	Overtime	23,000	0	23,000
019	500105	Holiday Pay	12,500	0	12,500
020	500200	Current Expenses	21,250	0	21,250
022	500255	Rents-Leases Other Than State	175	0	175
023	500291	Heat, Electricity & Water	625	0	625
026	500251	Organizational Dues	175	0	175
030	500300	Equipment New/Replacement	45,000	0	45,000
039	500190	Telecommunications	250	0	250
049	500294	Transfers to Other State Agencies	852,398	0	852,398
050	500109	Personal Services - Temporary	16,469	0	16,469
059	509059	Full-Time Temporary	0	12,444	12,444
060	500602	Benefits	33,583	5,353	38,936
070	500700	In-State Travel	7,500	0	7,500
080	500710	Out-of-State Travel	1,250	0	1,250
102	500731	Contracts for Program Services	10,000	0	10,000
217	502682	Inter-Agency Payments	175,000	0	175,000
		Total	1,230,275	17,797	1,248,072
		REVENUES			
009	405928	Agency Income	1,230,275	17,797	1,248,072
		Total	1,230,275	17,797	1,248,072

His Excellency Governor Christopher T. Sununu
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Page 2 of 3

2. Pursuant to RSA 124:15, and contingent upon approval of action Item #1, authorize the New Hampshire Fish and Game Department to retroactively amend Fiscal Committee Item #FIS 18-006 (approved on January 19, 2018) and Governor and Council Item #30A (approved on February 7, 2018), by extending the end date of one (1) Conservation Officer Trainee (LG 16) from June 30, 2019 to September 30, 2019, effective upon the date of approval by the Fiscal Committee and Governor and Council for the period of July 1, 2019 through September 30, 2019. 100% Agency Income.

EXPLANATION

Retroactive approval is requested to fund the full-time temporary position as of July 1, 2019. The funding and authority for this position expired on June 30, 2019. This funding is not available under the Continuing Resolution.

Pursuant to RSA 215-A:23 IX, and RSA 215-C:39, X, "Any excess registration fees collected and not expended shall be non-lapsing and shall be retained by the snowmobile and OHRV program for future use." In each year of the biennium, the Fish and Game Department and the Department of Natural and Cultural Resources may expend the excess fees collected in the same proportion as described in this section with prior approval of the Fiscal Committee and the Governor and Council.

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. The New Hampshire Fish and Game Department's FY 20 proposed budget included refunding previously unfunded Conservation Officer positions. The incumbent in the position contained in this retroactive request was to be transferred into one of the newly refunded positions as of July 1, 2019. Without an approved budget, the positions have not been funded; therefore we have no position to transfer the incumbent into.

2. If this request is retroactive what is the significance and importance of the action being effective from an earlier date?

The retroactive request is necessary to extend the end date of the position as it is filled. The retroactive extension will support the costs associated with this position.

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.)

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Page 3 of 3

Yes, this request was previously approved by Fiscal Committee on January 19, 2018 (Item #FIS 18-006) and Governor and Council on February 7, 2018 (Item #30). The end date for both original Action Items (#1 and #2) was June 30, 2019.

4. Was funding for this program included in the FY 2018-2019 enacted Budget or requested and denied?

Yes, it was included.

5. Is this program in total or in part, included in the vetoed FY 2020-2021 Operating Budget proposal currently pending for your department?

Yes.


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 related to a filled position in the OHRV program.

7. What would be the effect should this program be discontinued or not initiated as a result of this request being denied?

Since this position is currently filled and payroll is ongoing, another type of transfer would have to be processed in order for this account to not close out with a negative balance September 30, 2019.

Respectfully submitted,



Glenn Normandeau
Executive Director

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The Honorable Neal M. Kurk, Chairman
Fiscal Committee of the General Court
State House
Concord, New Hampshire 03301

December 21, 2017

His Excellency Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

- Pursuant to RSA 215-A:23, IX and RSA 215-C:39, X, authorize the transfer of \$551,139 of unexpended funds from Excess Registration Fees, Account Number 20-07500-11830000-009-405928 to the Fish and Game OHRV Fiscal Year 2018 and 2019 Operating Budgets effective upon Fiscal Committee and Governor and Council approval through June 30, 2019.

Funds are to be budgeted as follows:

03-75-75-752520 Law Enforcement Program

20-07500-11830000 OHRV Education, Training and Enforcement Fiscal Year 2018

Class	Account	Description	Current Budget	Change	Revised Budget
010	500100	Personal Services - Permanent	\$118,681	\$0	\$118,681
018	500106	Overtime	\$85,000	\$50,000	\$135,000
019	500105	Holiday Pay	\$50,000	\$0	\$50,000
020	500200	Current Expenses	\$85,981	\$25,000	\$110,981
022	500255	Rents-Leases Other Than State	\$742	\$0	\$742
023	500291	Heat, Electricity & Water	\$2,500	\$0	\$2,500
026	500251	Organizational Dues	\$700	\$0	\$700
030	500300	Equipment New/Replacement	\$246,122	\$257,500	\$503,622
039	500190	Telecommunications	\$1,000	\$0	\$1,000
049	500294	Transfers to Other State Agencies	\$3,409,592	\$0	\$3,409,592
050	500109	Personal Services-Temporary	\$65,000	\$15,000	\$80,000
059	509059	Full-Time Temporary	0	\$54,950	\$54,950
060	500602	Benefits	\$120,265	\$36,963	\$157,228
070	500700	In-State Travel	\$30,000	\$0	\$30,000
080	500710	Out-of-State Travel	\$5,000	\$0	\$5,000
102	500731	Contracts for Program Services	\$65,933	\$0	\$65,933
217	502682	Inter-Agency Payments	\$700,000	\$0	\$700,000
		Total	\$4,986,516	\$439,413	\$5,425,929
		REVENUES			
009	405928	Agency Income	\$4,986,516	\$439,413	\$5,425,929
		Total	\$4,986,516	\$439,413	\$5,425,929

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Page 2 of 4

03-75-75-752520 Law Enforcement Program
20-07500-11830000 OHRV Education, Training and Enforcement Fiscal Year 2019

Class	Account	Description	Current Budget	Change	Revised Budget
010	500100	Personal Services - Permanent	\$121,736	\$0	\$121,736
018	500106	Overtime	\$92,000	\$0	\$92,000
019	500105	Holiday Pay	\$50,000	\$0	\$50,000
020	500200	Current Expenses	\$85,000	\$0	\$85,000
022	500255	Rents-Leases Other Than State	\$700	\$0	\$700
023	500291	Heat, Electricity & Water	\$2,500	\$0	\$2,500
026	500251	Organizational Dues	\$700	\$0	\$700
030	500300	Equipment New/Replacement	\$180,000	\$0	\$180,000
039	500190	Telecommunications	\$1,000	\$0	\$1,000
049	500294	Transfers to Other State Agencies	\$3,409,592	\$0	\$3,409,592
050	500109	Personal Services-Temporary	\$65,000	\$0	\$65,000
059	509059	Full-Time Temporary	0	\$76,415	\$76,415
060	500602	Benefits	\$126,285	\$35,311	\$161,596
070	500700	In-State Travel	\$30,000	\$0	\$30,000
080	500710	Out-of-State Travel	\$5,000	\$0	\$5,000
102	500731	Contracts for Program Services	\$40,000	\$0	\$40,000
217	502682	Inter-Agency Payments	\$700,000	\$0	\$700,000
		Total	\$4,909,513	\$111,726	\$5,021,239
		REVENUES			
009	405928	Agency Income	\$4,909,513	\$111,726	\$5,021,239
		Total	\$4,909,513	\$111,726	\$5,021,239

- Pursuant to RSA 124:15, and contingent upon approval of action item #1, authorize the New Hampshire Fish and Game Department to create three (3) full-time temporary positions, two (2) Conservation Officer Trainees and one (1) Program Assistant I, from date of Joint Fiscal Committee and Governor and Council approvals through June 30, 2019. 100% Agency Income.

EXPLANATION

Pursuant to RSA 215-A:23 IX, and RSA 215-C:39, X, "Any excess registration fees collected and not expended shall be non-lapsing and shall be retained by the snowmobile and OHRV program for future use." In each year of the biennium, the Fish and Game Department and the Department of Resources and Economic Development may expend the excess fees collected in the same proportion as described in this section with prior approval of the Fiscal Committee and the Governor and Council.

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Page 3 of 4

The Department's FY 2018 budget for OHRV enforcement, education and training (Accounting Unit 20-07500-11830000) is based upon available revenues to be received on 85,000 OHRV registrations. The unobligated cash balance which came forward into fiscal year 2018 was \$719,658. This request is to appropriate otherwise unexpended OHRV registration fees allocated to the New Hampshire Fish and Game Department. These funds will enable the Department to continue our enhanced snowmobile safety efforts on a statewide basis and to more effectively address the increased ATV Enforcement issues as part of the Conservation Officers' and Deputy Conservation Officers' assigned duties. This type of request has historically been brought before Fiscal Committee during the fall of any given year for the purpose of budgeting unexpended funds brought forward. During the Department's effort to budget these excess funds for fiscal year 2017, it was requested by the Fiscal Committee we budget these funds during the budget process eliminating the need to come before Fiscal Committee each year for the same purpose. The Department made the effort to budget these funds during the Legislative phase of the budget process, but the request was denied by the Senate Finance Committee stating we should bring this type of request before Fiscal Committee after the approval of the biennial budget.

During fiscal year 2017, it was recommended to the department to have an enhanced concentration of effort to assist with the growing need of OHRV enforcement within our state's borders. This request allows the department to hire two additional Conservation Officers entirely dedicated to OHRV Enforcement. This request also funds a full time data entry level staff member to allow the department to comply with 'Organization Notes' of the approved fiscal years 2018 and 2019 biennial budget stating on page 381: *"Funds shall only be expended for direct OHRV purposes. If the overtime charged or equipment purchased is for multiple purposes, the Fish and Game Department shall only charge the portion directly related to OHRV to this accounting unit. The Fish and Game Department shall report all overtime (with related benefits) and equipment class line expenditures, with a breakdown of cost allocation, semi-annually to the Fiscal Committee of the General Court."* The Department does not have sufficient staff resources on hand to comply with this budget mandate therefore creating the need to hire additional staff. This request budgets these additional staff in class 059.

Funds in class 018, Overtime, and class 050, Part Time Personnel Services, will be used for the increases in overtime and personnel services related to both full time and part time costs incurred due to increases in demand for safety education related responsibilities along with costs associated with vacancies in permanent employees as well as increased demand for law enforcement on trail systems, landowner private land complaints and increased on-road OHRV use.

Funds in class 020, Current Expense, will be used for the associated costs of increased personnel.

Funds in class 030, Equipment, will be used to purchase snowmobiles and ATVs to replace older and high mileage inventoried equipment.

Funds in class 059, Full Time Temporary Personnel, will be used to fund the three individuals requested through this Fiscal Committee and Governor and Council request.

Funds in class 060, Benefits, will be used to cover the associated benefit costs for the requested increases in personnel expense lines.

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Page 4 of 4

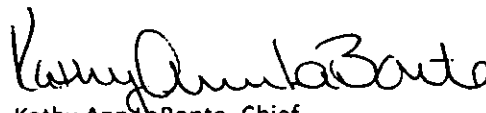
The following information is provided in accordance with the comptroller's instructional memorandum dated September 21, 1981.

- 1) *List of Personnel Involved:* Two full time temporary positions titled Conservation Officer Trainees (LG 16) and one full time temporary position titled Program Assistant I (LG 12).
- 2) *Nature, Need and Duration:* The duration of the two Conservation Officer Trainees will be permanent. The duration of the Program Assistant at this time is through this biennium or until the Organizational Notes contained within the current biennial budget is removed eliminating the need for this position.
- 3) *Relationship to existing agency programs:* To augment the current program per RSA 215-A and RSA 215-C.
- 4) *Has a similar program been requested of the Legislature and denied?* N/A-Not Applicable
- 5) *Why wasn't funding included in the agency's budget request?* This question has a two part answer, classes 018, 020, 030, 050, and 060, were included in a request to the House Budget Committee and the Senate Finance Committee, but the request was denied by the Chair of Senate Finance and recommended to go through the process of bringing any budgetary increases to Fiscal Committee after the current biennial budget was approved. The request for class 059, the temporary full time positions and their associated benefits, are a result of both discussions during the Legislative phase of the budget as well as the "Organizational Notes" contained within the FY 2018 and 2019 biennial budget, as described above in the explanation.
- 6) *Can portions of the grant funds be utilized?* N/A, these funds are not grant related.
- 7) *Estimate the funds required to continue these positions:* The cost to continue these positions for future bienniums is contingent upon if the position of Program Assistant I will be required.

Respectfully submitted,



Glenn Normandeau
Executive Director



Kathy Ann LaBonte, Chief
Business Division