



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



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Victoria F. Sheehan
Commissioner

William Cass, P.E.
Assistant Commissioner

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

Division of Operations
September 5, 2019

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

REQUESTED ACTION

Pursuant to the provisions of Chapter 145, sub-paragraph 1,(a), Laws of 2019, the Department of Transportation requests authorization to exceed the 3/12 limitation of said resolution for the accounts listed below, in the amount of \$80,800 to the extent shown as projected deficits for the period of Fiscal Committee and Governor and Council approval through September 30, 2019. 55.91% Highway Funds, 40.74% Federal Funds and 3.35% Other Funds.

Personal Services Part Time Mixed or Other Funding

Account	Bureau/Division	Class	Continuing Resolution Budget	Estimated Expenditures	Projected Deficit
04-96-96-960515-30090000	TRAFFIC OPERATIONS	F 050	55,159	85,714	(30,555)
04-96-96-960515-30090000	TRAFFIC OPERATIONS	O 050	4,536	7,048	(2,512)
04-96-96-960515-30090000	TRAFFIC OPERATIONS	H 050	75,697	117,630	(41,933)
	Federal Funding Source (F)		55,159	85,714	(30,555)
	Other Funding Source (O)		4,536	7,048	(2,512)
	Highway Funding Source (H)		75,697	117,630	(41,933)

Benefits Mixed or Other Funding

Account	Bureau/Division	Class	Continuing Resolution Budget	Estimated Expenditures	Projected Deficit
04-96-96-960515-30090000	TRAFFIC OPERATIONS	F 060	205,742	208,094	(2,352)
04-96-96-960515-30090000	TRAFFIC OPERATIONS	O 060	16,895	17,111	(216)
04-96-96-960515-30090000	TRAFFIC OPERATIONS	H 060	282,348	285,580	(3,232)
	Federal Funding Source (F)		205,742	208,094	(2,352)
	Other Funding Source (O)		16,895	17,111	(216)
	Highway Funding Source (H)		282,348	285,580	(3,232)
	Federal Funding Source (F)		260,901	293,808	(32,907)
	Other Funding Source (O)		21,431	24,159	(2,728)
	Highway Funding Source (H)		358,045	403,210	(45,165)
	Total Funding		\$640,377	\$721,177	\$(80,800)

EXPLANATION

The Department of Transportation (DOT) respectfully requests that above expenditure classes in the Traffic Bureau 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 DOT agency budget request for the FY 2020-2021 biennium.

The primary driver for the shortfalls expected in the part time and benefit line is the seasonality of the work performed by DOT's Traffic Operations. Pavement marking maintenance is a labor and material intensive operation which is heavily season and weather dependent. This work must be performed in the summer months when roadways are clean and dry and when temperature, humidity and precipitation are favorable in order to provide safe markings on the roadways. Sixteen permanent personnel staff the pavement marking section and lead the pavement marking crews of between 20 and 27 seasonal employees. These seasonal employees are hired for six-month terms to provide the necessary staffing to operate the equipment, place cones and signs and support the operations in the field. These employees are paid through Class 050 funds.

Additional contributors to the shortfalls, unique to the personnel makeup of this accounting unit, include the following:

- The Bureau was able to fully staff all its seasonal positions by July which was not expected.
- Favorable weather conditions have allowed the seasonal staff to be more fully utilized which raised personnel costs. Typically, on poor weather days when pavement marking crews remain in the shop, many seasonal staff choose to not work, which reduces the wages paid. This year there were fewer than expected poor weather days.
- This year, additional seasonal staff have been hired to backfill positions vacated by college students returning to school. Typically, these vacated positions are difficult to fill and would remain vacant. But this year, greater than expected positions remained filled.

The original request for additional funds was submitted and approved at Fiscal Committee on July 25, 2019 (FIS 19-172) and Governor and Council on July 31, 2019 (Item #29). For the contributing factors identified above, the original request was insufficient to continue pavement marking operations through September 30, 2019.

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":

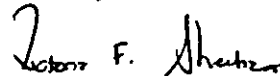
1. **Is the action required of this request a result of the Continuing Resolution for FY 2020?** Yes, this request is a result of the Continuing Resolution. This action would not have been requested if the FY

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 temporary employees 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 temporary employees and benefits for DOT were 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 temporary position costs associated with 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 DOT return to Fiscal Committee with a transfer request compiled from any allowable expenditure class line with identical funding to mitigate the anticipated shortfalls in the temporary employees and benefit lines.

Your approval of this resolution is respectfully requested.

Sincerely,



Victoria F. Sheehan
Commissioner