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STATE OF NEW HAMPSHIRE  
 DEPARTMENT OF CORRECTIONS  
 DIVISION OF ADMINISTRATION  
 PO BOX 1806  
 CONCORD, NH 03302-1806  
 603-271-5600 FAX: 1-888-908-6609  
 TDD Access: 1-800-735-2964  
 www.nh.gov/nhdoc

Helen E. Hanks  
Commissioner

Robin H. Maddaus  
Director

August 1, 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 Honorable 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 Corrections, requests authorization to exceed the 3/12 limitation of said resolution for the accounts listed below, in the total amount of \$10,636, to the extent shown as projected deficits for the period of Fiscal Committee and Governor and Executive Council approval through September 30, 2019. **100% General Funds**

**PERSONAL SERVICES PERMANENT - 100% General Fund**

Account	Bureau/Division	Class	Cont. Res. Budget	Estimated Expenditures	Projected Deficit
02-46-46-460010-71010000	COMMISSIONER'S OFFICE	012	31,205	35,366	(4,161)
02-46-46-465010-82340000	MEDICAL-DENTAL	012	27,909	34,384	(6,475)
<b>Total General Funds</b>			<b>59,114</b>	<b>69,750</b>	<b>(10,636)</b>

**EXPLANATION**

The Department of Corrections 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 obligations, which will exceed the 25% level of funding for FY 2019.

Shortfalls expected in the payroll line are due in part to 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 the annual 26 pay period cycle, which places three FY 2020 payrolls in the months of August and January 2020.)

An additional contributor to the shortfalls is salary increments for employees associated with the most recent collective bargaining agreements, versus the original budgeted projections. This would normally be mitigated in part by the Department's ability to seek relief from the Salary Adjustment Fund (RSA 99:4) for these unbudgeted but normal costs of conducting the State's business.

The fund noted above would normally be populated by the Department of Administrative Services, from a general sweep request and action, to collect salary 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?*

No, this is not a retroactive request.

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.

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?*

Funding for these positions 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 with the seven pay periods of the Continuing Resolution and salary increments.

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 the Department to request to transfer funds from any allowable expenditure class line with identical funding to mitigate the anticipated shortfalls in these salary lines.

Respectfully Submitted,



Helen E. Hanks

Commissioner