

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES

November 8, 2012

The Fiscal Committee of the General Court met on Thursday, November 8, 2012 at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Ken Weyler, Chairman
Representative Beverly Rodeschin
Representative Sharon Nordgren (Alternate)
Representative John Reagan (Alternate)
Senator Chuck Morse
Senator Bob Odell
Senator Sharon Carson (Alternate)
Senator Sylvia Larsen
Senator John Gallus

Chairman Weyler opened the meeting at 10:14 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Rodeschin, seconded by Senator Morse, that the minutes of the September 14, 2012 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

Office of Legislative Budget Assistant – Administrative Procedures. Tabled 12/29/10.
No Action Taken.

FIS 11-322 House of Representatives – request on behalf of the House Speaker that the Office of Legislative Budget Assistant conduct a complete financial audit of the New Hampshire Disaster Relief Fund (“NHDRF”) from inception to the present and a complete report on how NHDRF operated itself, determined distributions and followed-up on distributions. Tabled 10/28/11. No Action Taken.

FIS 12-227 Additional Information and FIS 12-227 Administrative Office of the Courts –
On a motion by Senator Morse, seconded by Representative Rodeschin, that the item be removed from the table. MOTION ADOPTED

On a motion by Senator Morse, seconded by Representative Reagan, that the Committee approve the request of the Administrative Office of the Courts to make three (3) judicial appointments to the new circuit court to fill three (3) positions that become vacant in September 2012 due to the completion of the terms of three (3) marital masters. MOTION ADOPTED.

FIS 12-228 Administrative Office of the Courts – authorization for \$1,696,658 of additional funding from state general funds not otherwise appropriated for the fiscal year ending June 30, 2013. The Committee approved \$500,000 of additional funding for the Jury Management System and the remaining \$1,196,658 requested for the NH e-court project was Tabled 06/18/12. No Action Taken.

FIS 12-274 Department of Health and Human Services – On a motion by Senator Morse, seconded by Representative Reagan, that the item be removed from the table. MOTION ADOPTED.

On a motion by Senator Morse, seconded by Representative Reagan, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$4,730,040 in federal funds through June 30, 2013. Tabled 09/14/12. MOTION ADOPTED.

NEW BUSINESS:

RSA 14:30-a, III AUDIT TOPIC RECOMMENDATION BY LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE:

FIS 12-335 Letter from Senator Peter Bragdon, Chairman of the Legislative Performance Audit and Oversight Committee relative to the recommendation of the following performance audit topics – On a motion by Representative Reagan, seconded by Senator Larsen, that the Committee approve the request of the Legislative Performance Audit and Oversight Committee relative to the recommendation of the following performance audit topic: 1) Department of Safety, Division of Motor Vehicles. MOTION ADOPTED

RSA 9:16-a, TRANSFERS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator Morse, seconded by Senator Gallus, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 12-325 Department of Transportation – transfer \$1,395,437, FIS 12-350 Department of Environmental Services – transfer \$775,000]

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE:

CONSENT CALENDAR

On a motion by Senator Morse, seconded by Representative Reagan, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 12-306 Department of Education – authorization to amend FIS 10-202, approved June 17, 2010 and subsequently amended by FIS 12-026, approved January 20, 2012, by retroactively extending the end date from June 30, 2012 through January 31, 2013, FIS 12-307 Department of Transportation – accept and expend \$169,500, FIS 12-311 Department of Safety – accept and expend \$454,500, FIS 12-320 Department of

Justice – accept and expend \$129,580, FIS 12-326 Department of Environmental Services – accept and expend \$485,719, FIS 12-327 Department of Transportation – accept and expend \$1,266,067, FIS 12-330 Department of Resources and Economic Development – authorization to 1) amend FIS 12-043, approved January 20, 2012, by reallocating \$33,490 in federal funds and retroactively extending the end date from September 29, 2012 to June 30, 2013, and 2) budget and expend \$338,857 in federal funds through June 30, 2013, FIS 12-337 Department of Safety – authorization to amend FIS 11-188, approved June 17, 2011, by retroactively extending the end date from September 30, 2012 to December 31, 2012, with no increase in funding, and further authorization to reallocate \$25,825 in federal funds through December 31, 2012, FIS 12-344 Department of Corrections – authorization to amend FIS 12-182, approved May 21, 2012, by extending the end date from February 20, 2013 to May 31, 2013, with no increase in funding, FIS 12-345 Department of Safety – authorization to amend FIS 12-116, approved April 13, 2012, by retroactively extending the end date from September 30, 2012 to June 30, 2013, with no increase in funding]

RSA 124:15 POSITIONS RESTRICTED :

CONSENT CALENDAR

Representative Weyler requested an “Analysis of Authorized Positions” be handed out to the Committee members. The items were removed from the Consent Calendar.

FIS 12-319 Department of Corrections – William Wrenn, Commissioner, and Robert Mullen, Director, Division of Administration, Department of Corrections, presented the request and responded to questions of the Committee.

On a motion by Senator Odell, seconded by Representative Nordgren, that the Committee approve the request of the Department of Corrections to establish one (1) part-time temporary Teacher III position through June 30, 2013. MOTION ADOPTED. (7-Yes, 2-No)

The Chair requested to know the number of inmates graduated through the Granite State High School program.

FIS 12-328 Insurance Department – Jeffrey Pattison, Legislative Budget Assistant, informed the Committee that the Insurance Department submitted a letter, dated November 6, 2012, requesting that the item to establish one (1) full-time temporary Human Resources Administrator position through June 30, 2013 be withdrawn.

FIS 12-351 Department of Safety – On a motion by Senator Morse, seconded by Senator Carson, that the Committee approve the request of the Department of Safety to amend FIS 12-239, approved July 23, 2012, by retroactively extending the end date from September 30, 2012 to June 30, 2013 for one (1) temporary part-time Program Assistant II position. MOTION ADOPTED.

RSA 14:30-a, VI, FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE AND RSA 124:15 POSITIONS RESTRICTED:

FIS 12-304 Department of Justice – Ann Rice, Deputy Attorney General, and James Boffetti, Senior Assistant Attorney General, Department of Justice, presented the request and responded to questions of the Committee.

On a motion by Senator Morse, seconded by Senator Carson, that the Committee **amend** and approve the request of the Department of Justice **by approving item #1 only** to accept and expend funds in the amount of \$6,540,769 from the National Mortgage Settlement for the purposes of providing direct and indirect assistance to distressed homeowners through June 30, 2013, **and table item #2** to establish four (4) full-time temporary positions to consist of; an unclassified Attorney, an unclassified Investigator, an unclassified Managing Analyst-Financial, and a classified Paralegal II, and also establish one (1) part-time classified Legal Secretary III position through June 30, 2013. MOTION ADOPTED. (8-Yes, 1-No)

FIS 12-329 Department of Safety – On a motion by Senator Morse, seconded by Senator Carson, that the Committee approve the request of the Department of Safety to 1) accept and expend \$331,048 in other funds through June 30, 2013, and authorization to 2) establish temporary consultant positions through June 30, 2013. MOTION ADOPTED.

RSA 7:12 ASSISTANTS:

FIS 12-305 Department of Justice – On a motion by Representative Reagan, seconded by Senator Larsen, that the Committee approve the request of the Department of Justice to accept and expend a sum not to exceed \$600,000 from funds not otherwise appropriated for the purpose of covering projected shortfalls in the general litigation expenses incurred in the defense of the State and the prosecution of criminal law through June 30, 2013. MOTION ADOPTED.

RSA 198:42, IV, DISTRIBUTION SCHEDULE OF ADEQUATE EDUCATION GRANTS: APPROPRIATION:

FIS 12-352 Department of Education – Paul Leather, Deputy Commissioner, and Caitlin Davis, Internal Auditor, Department of Education, and Eileen Liponis, Executive Director, New Hampshire Public Charter School Association, presented the request and responded to questions of the Committee.

On a motion by Representative Reagan, seconded by Senator Morse, that the Committee approve the request of the Department of Education to expend funds in excess of 110 percent of budgeted amount as necessary to fund the projected obligations to the State's charter schools for the current fiscal year chartered public school payments under RSA 194-B:11, I, in an estimated amount of \$4,451,563 through June 30, 2013. MOTION ADOPTED. (7-Yes, 2-No)

RSA 215-A:23, IX, AND RSA 215-C:39, X, REGISTRATION FEES:

FIS 12-313 New Hampshire Fish and Game Department – Glenn Normandeau, Director, and Colonel Martin Garabedian, Conservation Officer, New Hampshire Fish and Game Department, presented the request and responded to questions of the Committee.

On a motion by Senator Morse, seconded by Senator Larsen, that the Committee approve the request of the New Hampshire Fish and Game Department to transfer \$100,000 of unexpended funds from Excess Registration Fees to the Fish and Game OHRV Fiscal Year 2013 Operating Budget. MOTION ADOPTED.

RSA 228:12 TRANSFERS FROM HIGHWAY SURPLUS ACCOUNT:

FIS 12-308 Department of Transportation – On a motion by Representative Reagan, seconded by Senator Larsen, that the Committee approve the request of the Department of Transportation to transfer \$7,842 in highway surplus funds through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:14, II, LAWS OF 2011, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 12-322 Department of Health and Human Services – On a motion by Senator Morse, seconded by Representative Reagan, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$1,752,753 in federal funds through June 30, 2013. MOTION ADOPTED.

FIS 12-323 Department of Health and Human Services – On a motion by Senator Morse, seconded by Representative Nordgren, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$308,262 in federal funds through June 30, 2013. MOTION ADOPTED.

FIS 12-338 Department of Health and Human Services – On a motion by Senator Morse, seconded by Senator Carson, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$150,275 in federal funds through June 30, 2013. MOTION ADOPTED.

FIS 12-339 Department of Health and Human Services – On a motion by Senator Morse, seconded by Senator Larsen, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$749,879 in federal funds through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:85, I. LAWS OF 2011, DEPARTMENT OF ADMINISTRATIVE SERVICES;
CONSOLIDATION OF CERTAIN BUSINESS PROCESSING FUNCTIONS:

FIS 12-336 Department of Administrative Services – Linda Hodgdon, Commissioner, and Mark Fairbank, Project Manager, Department of Administrative Services, presented the request and responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Senator Morse, that the Committee approve the request of the Department of Administrative Services to transfer and reallocate \$365,070 for personnel from the Departments of Safety and Administrative Services to the Department of Administrative Services to establish a Shared Services Center for the consolidation of business processing within state government, effective November 16, 2012 through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:203, LAWS OF 2011, DEPARTMENT BUDGETS; TRANSFER OF
FEDERAL FUNDS:

FIS 12-346 Department of Cultural Resources – On a motion by Senator Carson, seconded by Senator Morse, that the Committee approve the request of the Department of Cultural Resources to transfer \$82,557 in federal funds through June 30, 2013. MOTION ADOPTED.

FIS 12-356 Department of Safety – John Beardmore, Director of Administration, and Kevin O'Brien, Chief of Policy and Planning, Department of Safety, presented the request and responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Senator Carson, that the Committee approve the request of the Department of Safety to transfer \$618,478 in federal funds through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:203, LAWS OF 2011, DEPARTMENT BUDGETS; TRANSFER OF
FEDERAL FUNDS AND RSA 14:30-a, VI. FISCAL COMMITTEE APPROVAL REQUIRED
FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-
STATE SOURCE:

FIS 12-318 Department of Corrections – William Wrenn, Commissioner, and Robert Mullen, Director of Administration, Department of Corrections, presented the request and responded to questions of the Committee.

On a motion by Senator Gallus, seconded by Representative Nordgren, that the Committee approve the request of the Department of Corrections to 1) transfer \$204,872 in federal funds through June 30, 2013, and 2) accept and expend \$173,306 in federal funds through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:219, LAWS OF 2011, JUDICIAL APPOINTMENTS; NUMBER LIMITED; VACANCIES:

FIS 12-358 Administrative Office of the Courts – On a motion by Senator Morse, seconded by Senator Carson, that the Committee approve the request of the Administrative Office of the Courts to make one (1) additional appointment to the new circuit court to fill one (1) marital master position that has become vacant. MOTION ADOPTED.

AUDITS:

State of New Hampshire, Fish and Game Department, Off Highway Recreational Vehicle Registration Program, Internal Control Over Revenue, November 2012 – Christine Young, Senior Audit Manager, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Glenn Normandeau, Executive Director, New Hampshire Fish and Game Department was present to respond to questions of the Committee.

On a motion by Representative Rodeschin, seconded by Senator Larsen, that the report be accepted, placed on file and released in the usual manner. MOTION ADOPTED.

State of New Hampshire, Department of Corrections, Nonsecurity Staffing, Performance Audit, November 2012 – Stephen Fox, Performance Audit Supervisor, and Jay Henry, Senior Audit Manager, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. William Wrenn, Commissioner, William McGonagle, Assistant Commissioner, and Helen Hanks, Director, Division of Medical and Forensic Services, Department of Corrections, were present to respond to questions of the Committee.

On a motion by Representative Rodeschin, seconded by Senator Larsen, that the report be accepted, placed on file and released in the usual manner. MOTION ADOPTED.

State of New Hampshire, Department of Corrections, Security Staffing, Performance Audit, November 2012 – Stephen Fox, Performance Audit Supervisor, and Steven Grady, Senior Audit Manager, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. William Wrenn, Commissioner, and William McGonagle, Assistant Commissioner, Department of Corrections, were present to respond to questions of the Committee.

On a motion by Representative Rodeschin, seconded by Representative Reagan, that the report be accepted, placed on file and released in the usual manner. MOTION ADOPTED.

ADJOURNMENT:

The next regular meeting of the Fiscal Committee will be at the Call of The Chair.

On a motion by Senator Odell, seconded by Senator Gallus, that the meeting adjourn.
MOTION ADOPTED. (Whereupon the meeting adjourned at 12:08 p.m.)

Ken Weyler

Representative Beverly Redeschin, Clerk

Ken Weyler acting