

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES

February 17, 2017

The Fiscal Committee of the General Court met on Friday, February 17, 2017 at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Neal Kurk, Chairman  
Representative Karen Umberger (Alternate)  
Representative Lynne Ober  
Representative Mary Jane Wallner  
Representative Daniel Eaton  
Representative Frank Byron (Alternate)  
Senator Gary Daniels  
Senate President Chuck Morse  
Senator Lou D'Allesandro  
Senator Regina Birdsell (Alternate)

Chairman Kurk opened the meeting at 10:05 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Eaton, seconded by Senator Daniels, that the minutes of the January 13, 2017 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

FIS 17-002 Department of Health and Human Services – On a motion by Senator D'Allesandro, seconded by Representative Wallner, that the item tabled January 13, 2017 be removed from the table. MOTION ADOPTED.

Sheri Rockburn, Chief Financial Officer, and Patricia Tilley, Chief of Population of Community Services, Department of Health and Human Services, presented the request and responded to questions of the Committee. Denis Goulet, Commissioner, Department of Information Technology was also present to respond to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services to; 1) accept and expend \$990,898 in federal funds through June 30, 2017, and contingent upon approval of #1, 2) establish one (1) temporary full-time Systems Development Specialist III (LG 23) position through June 30, 2017. No Action Taken.

On a motion by Representative Ober, seconded by Senator Morse, that the Committee **amend** and approve the request of the Department of Health and Human Services to **accept and expend \$869,020 in federal funds, with no additional position, through June 30, 2017, as**

specified in the request dated December 15, 2016, and did not approve the original request to; 1) accept and expend \$990,898 in federal funds through June 30, 2017, and 2) establish one (1) full-time Systems Development Specialist III (LG 23) position through June 30, 2107. MOTION ADOPTED. (8-Yes, 1-No)

FIS 17-004 Replacement Department of Corrections – On a motion by Senator Morse, seconded by Senator Daniels, that the item tabled January 13, 2017 be removed from the table. MOTION ADOPTED.

On a motion by Senator Morse, seconded by Senator D’Allesandro, that the Committee approve the replacement request of the Department of Corrections to transfer \$360,000 in general funds among accounts through June 30, 2017. MOTION ADOPTED.

FIS 17-010 Additional Information New Hampshire Fish and Game Department – additional information, dated January 23, 2017, to request FIS 17-010 New Hampshire Fish and Game Department – authorization to transfer \$338,300 in unexpended funds from Excess Registration Fees, to the Fish and Game OHRV Fiscal Year 2017 Operating Budget. Tabled 01/13/17

On a motion by Senator Morse, seconded by Senator Daniels, that the item tabled January 13, 2017 be removed from the table. MOTION ADOPTED.

Glenn Normandeau, Executive Director, and Colonel Kevin Jordan, Chief of Law Enforcement, New Hampshire Fish and Game Department, responded to questions of the Committee.

On a motion by Senator Morse, seconded by Senator D’Allesandro, that the Committee approve the request of the New Hampshire Fish and Game Department to transfer \$338,300 in unexpended funds from Excess Registration Fees to the Fish and Game OHRV Fiscal Year 2017 Operating Budget. MOTION FAILED. (4-Yes, 5-No)

On a motion by Representative Eaton, seconded by Representative Kurk, that the Committee table the request of the New Hampshire Fish and Game Department to transfer \$338,300 in unexpended funds from Excess Registration Fees to the Fish and Game OHRV Fiscal Year 2017 Operating Budget. MOTION ADOPTED.

FIS 17-015 Department of Safety – On a motion by Representative Eaton, seconded by Senator D’Allesandro, that the item tabled January 13, 2017 be removed from the table. MOTION ADOPTED. (8-Yes, 1-No)

Steven Lavoie, Director of Administration, Department of Safety, presented the request responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Safety to accept and expend \$132,410 in other funds through June 30, 2017. MOTION ADOPTED. (8-Yes, 1-No)

FIS 17-017 Department of Justice – authorization to budget and expend \$6,400,017.56 in general funds from a multistate Volkswagen settlement received on October 28, 2016, Tabled 01/13/17. No Action Taken.

NEW BUSINESS:

RSA 9:16-a, TRANSFERS AUTHORIZED:

CONSENT CALENDAR

At the request of the Chair, FIS 17-026 Insurance Department was removed from the Consent Calendar.

FIS 17-026 Insurance Department – Roger Sevigny, Commissioner, and Theodore Perkins, Business Manager, Insurance Department, presented the request and responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Insurance Department to transfer \$300,000 in other funds between various accounts and classes through June 30, 2017. No Action Taken.

On a motion by Senator Morse, seconded by Representative Eaton, that the Committee table the request of the Insurance Department to transfer \$300,000 in other funds between various accounts and classes through June 30, 2017. 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:

CONSENT CALENDAR

FIS 17-034 Police Standards and Training Council and FIS 17-038 Department of Safety were removed from the Consent Calendar at the request of the Committee.

On a motion by Representative Eaton, seconded by Representative Ober, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 17-030 Department of Resources and Economic Development – authorization to accept and expend \$5,715,000 in federal funds through June 30, 2017, FIS 17-044 Department of Health and Human Services – authorization to accept and expend \$148,543 in federal funds through June 30, 2017, and FIS 17-045 The Adjutant General’s Department – authorization to accept and expend \$3,363,360 in federal funds through June 30, 2017]

FIS 17-034 Police Standards and Training Council – Benjamin Jean, Support Bureau Commander, Police Standards and Training Council responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Police Standards and Training Council, to accept and

expend two (2) grant awards in the amount of \$110,500 and \$4,288.14 for a total of \$114,788.14 in other (federal pass-thru) funds through June 30, 2017. MOTION ADOPTED.

FIS 17-038 Department of Safety – Steven Lavoie, Director of Administration, Department of Safety, presented the request and responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Safety to accept and expend \$230,000 in other funds through June 30, 2017. 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 AUTHORIZED:

CONSENT CALENDAR

At the request of the Chair, all items under this section were removed from the Consent Calendar.

FIS 17-027 Department of Health and Human Services – Sheri Rockburn, Chief Financial Officer, and Patricia Tilley, Chief of Population of Community Services, Department of Health and Human Services, presented the request and responded to questions of the Committee.

On a motion by Representative Wallner, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Health and Human Services to; 1) accept and expend \$1,035,063 in federal funds through June 30, 2017, and subject to approval to #1, authorization to, 2) establish seven (7) temporary full-time positions consisting of; a Program Specialist III (LG 23), two (2) Nurse Specialist (LG 25), Microbiologist III (LG 26), Microbiologist I (LG 20), Microbiologist II (LG 23), and Program Specialist IV (LG 25) position and one (1) temporary part-time Epidemiology Assistant (LG 02) through June 30, 2017 and further continue one (1) reclassified temporary part-time Statistical Assistant (LG 14) position through June 30, 2017. MOTION ADOPTED. (6-Yes, 3-No)

FIS 17-028 Insurance Department – Roger Sevigny, Commissioner, and Theodore Perkins, Business Manager, Insurance Department, presented the request and responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Representative Ober, that the Committee approve the request of the Insurance Department to; 1) accept and expend \$583,603 in federal funds through June 30, 2017, and 2) establish a Class 046 consultant position through June 30, 2017. MOTION ADOPTED.

FIS 17-033 Department of Education – Tammy Vaillancourt, Chief Financial Officer, and Mary Steady, Administrator, Department of Education, presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Education to; 1) accept and expend \$3,000,000 in federal funds through June 30, 2017, and 2) establish two (2) temporary full-time positions through June 30, 2017 consisting of; an Education Consultant I (LG 26) and a Program Specialist III (LG 23). MOTION ADOPTED.

FIS 17-036 Department of Health and Human Services – Sheri Rockburn, Chief Financial Officer, and Joseph Harding, Director of Drug and Alcohol Services, Department of Health and Human Services, presented the request and responded to questions of the Committee.

On a motion by Representative Wallner, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Health and Human Services to; 1) accept and expend \$320,015 in federal funds through June 30, 2017, and subject to approval of #1, 2) establish one (1) temporary full-time Program Specialist IV (LG 25) position through June 30, 2017. MOTION ADOPTED.

The Committee recessed at 11:16 a.m., and reconvened at 11:25 a.m.

RSA 9:16-a, TRANSFERS AUTHORIZED (continued):

CONSENT CALENDAR

FIS 17-026 Insurance Department – On a motion by Representative Ober, seconded by Senator D'Allesandro, that the item be removed from the table. MOTION ADOPTED.

Roger Sevigny, Commissioner, and Theodore Perkins, Business Manager, Insurance Department, responded to questions of the Committee.

On a motion by Representative Ober, seconded by Representative Eaton, that the Committee **amend** and approve the request of the Insurance Department **to transfer a total of \$145,320 of which; \$96,880 will go into Class 10, and \$48,440 will go into Class 60, to fill five (5) vacant positions; 10958, 10960, 40592, 40859 and 41777**, as specified in the request dated January 13, 2017, and did not approve the original request to transfer \$300,000 between various accounts and classes to fill ten vacant positons. 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 AUTHORIZED (continued):

CONSENT CALENDAR

FIS 17-037 Department of Health and Human Services – Sheri Rockburn, Chief Financial Officer, and Patricia Tilley, Patricia Tilley, Chief of Population of Community Services, Department of Health and Human Services presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services to; 1) accept and expend \$143,198 in federal funds through June 30, 2017, and subject to approval of #1, 2) reestablish one (1) temporary full-time Opioid Overdose Surveillance Coordinator (LG 24) through June 30, 2017. MOTION ADOPTED. (5-Yes, 4-No)

FIS 17-039 Department of Safety – Steven Lavoie, Director of Administration, Department of Safety, presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Safety to; 1) accept and expend \$680,320 in federal funds through June 30, 2017, and subject to approval of #1, 2) authorization to establish one (1) temporary part-time Program Specialist III (LG 23) position through June 30, 2017. MOTION ADOPTED. (8-Yes, 1-No)

At the request of Senator Morse the Committee recessed at 11:34 a.m., and reconvened at 11:48 a.m.

OLD BUSINESS (continued):

FIS 17-010 New Hampshire Fish and Game Department – On a motion by Representative Umberger, seconded by Senator Morse, that the item be removed from the table. MOTION ADOPTED. (8-Yes, 1-No)

Glenn Normandeau, Executive Director, and Colonel Kevin Jordan, Chief of Law Enforcement, New Hampshire Fish and Game Department, responded to questions of the Committee.

On a motion by Representative Umberger, seconded by Senator Morse, that the Committee **amend** and approve the request of the New Hampshire Fish and Game Department, to **transfer \$203,995 of unexpended funds from Excess Registration Fees, Account Number 20-07500-11830000-009-405928 to the Fish and Game OHRV Fiscal Year 2017 Operating Budget, which excludes the cost for three cruisers,** as specified in the request dated December 19, 2016, and did not approve the original request to transfer \$338,300 of unexpended funds from Excess Registration Fees, Account Number 20-07500-11830000-009-405928 to the Fish and Game OHRV Fiscal Year 2017 Operating Budget. MOTION ADOPTED. (8-Yes, 1-No)

FIS 17-017 Department of Justice – Joseph Foster, Attorney General, and Ann Rice, Deputy Attorney General, Department of Justice, presented the request and responded to questions of the Committee. Kathleen Carr, Director of Administration, Department of Justice was also present to respond to questions.

On a motion by Representative Umberger, seconded by Representative Ober, that the item tabled January 13, 2017 be removed from the table. MOTION ADOPTED.

On a motion by Representative Umberger, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Justice to budget and expend \$6,400,017.56 in general funds from a multistate Volkswagen settlement received on October 28, 2016. MOTION ADOPTED.

RSA 7:6-e, DISPOSITION OF FUNDS OBTAINED BY THE ATTORNEY GENERAL:

FIS 17-031 Department of Justice – On a motion by Senator D'Allesandro, seconded by Representative Ober, that the Committee approve the request of the Department of Justice to accept and expend \$2,900,000 received as a settlement on January 18, 2017 from Insys Therapeutics as a result of an Assurance of Discontinuance. MOTION ADOPTED.

FIS 17-032 Department of Justice – Ann Rice, Deputy Attorney General, Department of Justice, responded to questions of the Committee.

On a motion by Representative Ober, seconded by Senator Daniels, that the Committee approve the request of the Department of Justice to accept and expend \$243,372 from a multi-state Bristol Myers Squibb (BMS) settlement received on January 5, 2017. MOTION ADOPTED.

RSA 228:12, TRANSFERS FROM HIGHWAY SURPLUS ACCOUNT:

FIS 17-046 Replacement Department of Transportation – Victoria Sheehan, Commissioner, and Marie Mullen, Director of Finance, Department of Transportation, presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Umberger, that the Committee approve the replacement request of the Department of Transportation to transfer \$9,105,750 in highway funds through June 30, 2017. MOTION ADOPTED.

RSA 363:28, III, OFFICE OF THE CONSUMER ADVOCATE:

FIS 17-035 Office of the Consumer Advocate – On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Office of the Consumer Advocate to amend FIS 16-121, approved August 5, 2016, by increasing the contract amount by \$22,900, from the original amount of \$75,000 to \$97,900 in other funds with Strategen Consulting, LLC to provide expert services to support participation in the Net Energy Metering proceeding, docket number DE 16-576, before the NH Public Utilities Commission (NHPUC). MOTION ADOPTED.

CHAPTER 276:29, LAWS OF 2015, DEPARTMENT OF TRANSPORTATION; TRANSFER OF FUNDS:

FIS 17-040 Department of Transportation – On a motion by Representative Umberger, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Transportation to establish a non-budgeted class in an accounting unit and to transfer \$2,000 between various accounts and classes through June 30, 2017. MOTION ADOPTED.

FIS 17-041 Department of Transportation – Marie Mullen, Director of Finance, and Christopher Waszczuk, Deputy Commissioner, Department of Transportation, presented the request and responded to questions of the Committee.

The Department clarified that the request was to transfer only, not establish a non-budgeted class in an accounting unit as stated in the request.

On a motion by Senator D’Allesandro, seconded by Senator Morse, that the Committee approve the request of the Department of Transportation to transfer \$590,000 between various accounts and classes through June 30, 2017. MOTION ADOPTED.

CHAPTER 276:198, LAWS OF 2015, DEPARTMENT OF SAFETY; TRANSFER AMONG ACCOUNTS:

FIS 17-042 Department of Safety – Steven Lavoie, Director of Administration, Department of Safety, presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Safety to transfer \$397,000 in general/highway/turnpike funds among accounts through June 30, 2017. MOTION ADOPTED.

LATE INFORMATIONAL ITEM:

FIS 17-050 Department of Health and Human Services – Jeffrey Meyers, Commissioner, and Sheri Rockburn, Chief Financial Officer, Department of Health and Human Services, responded to questions of the Committee regarding the Operating Statistics Dashboard report as of January 31, 2017 for the fiscal year ending June 30, 2017.

LATE ITEM:

FIS 17-049 Department of Health and Human Services – Jeffrey Meyers, Commissioner, and Sheri Rockburn, Chief Financial Officer, Department of Health and Human Services, presented the request and responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services to transfer \$9,242,574 in general funds, increase federal revenues in the amount of \$1,595,073, and increase related other revenues in the amount of \$16,490 through June 30, 2017. MOTION ADOPTED.



INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

AUDITS:

On a motion by Representative Eaton, seconded by Senator Morse, that the Committee accept the five (5) audits on the agenda consisting of; The Unique College Investing Plan, Annual Report, September 30, 2016; The Fidelity Advisor 529 Plan, Annual Report, September 30, 2016; State of New Hampshire, Comprehensive Annual Financial Report For Fiscal Year 2016; State of New Hampshire, Highway Fund (Fund 15), Audited Financial Statements, For the Fiscal Year Ended June 30, 2016; and the 2016 Comprehensive Annual Financial Report, New Hampshire State Liquor Commission, A Department Of The State Of New Hampshire, place on file, and release in the usual manner. MOTION ADOPTED.

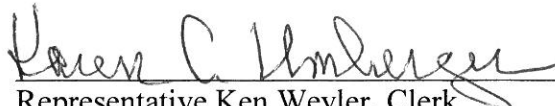
The Unique College Investing Plan, Annual Report, September 30, 2016 and The Fidelity Advisor 529 Plan, Annual Report, September 30, 2016 – Stephen Smith, Director of Audits, Audit Division, Office of Legislative Budget Assistant, Rachel Bradley, Partner, PricewaterhouseCoopers, and William Dwyer, State Treasurer, presented the report and responded to questions of the Committee.

State of New Hampshire, Comprehensive Annual Financial Report, For Fiscal Year 2016 – Stephen Smith, Director of Audits, Audit Division, Office of Legislative Budget Assistant, Marie Zimmerman, Partner, and Beth Cole, Lead Senior Manager, KPGM, presented the report and responded to questions of the Committee. Joseph Bouchard, Assistant Commissioner, and Dana Call, Director of Financial Reporting, Department of Administrative Services were present to respond to questions of the Committee.

Presentation of the State of New Hampshire, Highway Fund (Fund 15), Audited Financial Statements For the Fiscal Year Ended June 30, 2016 and 2016 Comprehensive Annual Financial Report, New Hampshire State Liquor Commission, A Department Of The State Of New Hampshire were postponed until the next meeting.

DATE OF NEXT MEETING:

The next regular meetings of the Fiscal Committee were set for Friday, March 10, 2017 at 10:00 a.m. and Friday, April 14, 2017 at 10:00 a.m. (Whereupon the meeting adjourned at 1:31 p.m.)

for   
Representative Ken Weyler, Clerk