

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES  
March 18, 2016

The Fiscal Committee of the General Court met on Friday, March 18, 2016 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 Ken Weyler  
Representative Richard Barry (Alternate)  
Representative Cindy Rosenwald (Alternate)  
Representative Daniel Eaton  
Senator Jeanie Forrester  
Senate President Chuck Morse  
Senator Gerald Little  
Senator Lou D'Allesandro

Chairman Kurk opened the meeting at 10:04 a.m.

Chairman Kurk announced that the next meeting of the Fiscal Committee will be Friday, April 15, 2016 at 10:00 a.m.

Representative Richard Barry was appointed as an Alternate for Representative Ober.

ACCEPTANCE OF MINUTES:

On a motion by Senator D'Allesandro, seconded by Representative Weyler, that the minutes of the February 12, 2016 meeting be accepted as written. MOTION ADOPTED. (8-Yes, 1-Abstain)

OLD BUSINESS:

- (A) CHAPTER 276:206, LAWS OF 2015, DEPARTMENT OF HEALTH AND HUMAN SERVICES; SUNUNU YOUTH SERVICES CENTER; COST SAVINGS PLAN:

FIS 15-229 Department of Health and Human Services – authorization to implement the actions contained in the Cost Savings Plan to support the dual purposes within the Sununu Youth Services Center of providing both secure youth detention and psychiatric residential treatment. (FIS 15-229 Additional Information – Letter from Representative Kurk, dated November 18, 2015, containing two separate provisions relative to the funding of the Sununu Youth Services Center). Tabled 12/18/15. No Action Taken.

AUDITS: (held over from the February 12<sup>th</sup> meeting of the Fiscal Committee)

2015 Comprehensive Annual Financial Report, New Hampshire State Liquor Commission, A Department of The State of New Hampshire – Stephen Smith, Director of Audits, and Jean Mitchell, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Joseph Mollica, Chairman, and Christina Demers, Chief Financial Officer, New Hampshire Liquor Commission, were present to respond to questions of the Committee.

This report was accepted, placed on file and released at the December 18, 2015 meeting of the Fiscal Committee.

State of New Hampshire, Department of Environmental Services, Water Division, Annual Financial Report, State Revolving Fund For The Fiscal Year Ended June 30, 2015 – Stephen Smith, Director of Audits, and Christine Young, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Thomas Burack, Commissioner, and Susan Carlson, Chief Operating Officer, Department of Environmental Services, were present to respond to questions of the Committee.

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

NEW BUSINESS:

State of New Hampshire, Public Utilities Commission, Financial Audit Report, For The Nine Months Ended March 31, 2015 – On a motion by Representative Weyler, seconded by Senator Forrester, that the report be accepted, placed on file, and released in the usual manner. MOTION ADOPTED.

State of New Hampshire, Lottery Commission, Management Letter, For The Fiscal Year Ended June 30, 2015 – On a motion by Representative Weyler, seconded by Senator Forrester, that the report be accepted, placed on file, and released in the usual manner. 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

At the request of the Committee, FIS 16-044 Department of Transportation, and FIS 16-052 Department of Health and Human Services were removed from the Consent Calendar.

On a motion by Senator Forrester, seconded by Senator D'Allesandro, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 16-035 The Adjutant General's Department – authorization to accept and expend \$450,000 in federal funds through June 30, 2016, FIS 16-041 Department of Environmental Services – authorization to accept and

expend \$300,000 in federal funds through June 30, 2017, FIS 16-042 Department of Resources and Economic Development – authorization to accept and expend \$150,000 in other funds through June 30, 2016, and FIS 16-048 Department of Justice – authorization to accept and expend \$399,622 in federal funds through June 30, 2017]

FIS 16-044 Department of Transportation – Marie Mullen, Director of Finance, and Patrick Herlihy, Director, Bureau of Aeronautics, Rail and Transit, Department of Transportation, responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Forrester, that the Committee approve the request of the Department of Transportation to accept and expend \$3,000,000 in federal funds through June 30, 2016. MOTION ADOPTED.

FIS 16-052 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 Barry, that the Committee approve the request of the Department of Health and Human Services to amend FIS 15-034, approved February 19, 2015, by retroactively extending the end date from June 30, 2015 to December 20, 2016, and reallocate \$196,191 in federal funds between expenditure classes. MOTION ADOPTED.

RSA 124:15, POSITIONS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator Forrester, seconded by Representative Eaton, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 16-036 Department of Corrections – authorization to establish one (1) part-time temporary Victim Witness Specialist (LG 26) position through June 30, 2016]

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 Committee, FIS 16-053 New Hampshire Fish and Game Department, and FIS 16-055 Office of Professional Licensure and Certification were removed from the Consent Calendar.

On a motion by Representative Eaton, seconded by Senator D’Allesandro, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 16-043 Department of Safety – authorization to; 1) accept and expend \$756,812 in federal funds through June 30, 2017, and 2) establish one (1) part-time temporary Program Assistant II position through June 30, 2017, FIS 16-045 Department of Information Technology – authorization to; 1)

accept and expend \$120,000 in other funds through June 30, 2017, and 2) establish class 046 consultant positions through June 30, 2017, FIS 16-046 Department of Justice – authorization to; 1) accept and expend \$132,346 in other funds through June 30, 2017, and subject to approval of #1, 2) establish one (1) full-time temporary salaried Elder Abuse Prosecutor position through June 30, 2017, and FIS 16-047 Department of Justice – authorization to; 1) accept and expend \$123,454 in other funds through June 30, 2017, and subject to approval of #1, 2) establish one (1) full-time temporary Victim Witness Specialist (LG 26) position through June 30, 2017]

FIS 16-053 New Hampshire Fish and Game Department – Laura Ryder, Supervisor, Public Information and Conservation Education, N.H. Fish and Game Department, presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Rosenwald, that the Committee table the request of the New Hampshire Fish and Game Department to; 1) accept and expend \$170,170 in federal funds through June 30, 2017, and subject to approval of #1, 2) establish a class 046 consultant position through June 30, 2017. MOTION ADOPTED.

FIS 16-055 Office of Professional Licensure and Certification – Michelle Ricco Jonas, Program Manager, Office of Professional Licensure and Certification, and Kathleen Carr, Director of Administration, Department of Justice, presented two (2) handouts and responded to questions of the Committee.

On a motion by Representative Rosenwald, seconded by Senator Forrester, that the Committee approve the request of the Office of Professional Licensure and Certification to; 1) amended FIS 13-164, approved July 10, 2013, by accepting and expending \$452,084 in other funds through June 30, 2017, and subject to approval of #1, 2) amend FIS 14-015, approved February 14, 2014, by extending the end date from March 31, 2016 through June 30, 2017 for one (1) full-time temporary Administrator I (LG 27) position, and 3) establish one (1) full-time temporary Administrative Assistant I (LG 16) position through June 30, 2017. MOTION ADOPTED.

RSA 490-F:7, III, CIRCUIT COURT JUDGES: NUMBER:

FIS 16-056 Administrative Office of The Courts – Donald Goodnow, Director, and Donna Raymond, Fiscal Manager, Administrative Office of the Courts, Judicial Branch and The Honorable Edwin Kelly, Administrative Judge, Circuit Court, presented a handout 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 Administrative Office of The Courts to convert an existing vacant full-time marital master position to a full-time judicial vacancy in the circuit court. MOTION ADOPTED.

CHAPTER 275:1, LAWS OF 2015, DEPARTMENT OF CORRECTIONS; BUDGET FOOTNOTE ON ACCOUNTING UNIT 8236:

FIS 16-049 Department of Corrections – Helen Hanks, Assistant Commissioner, and Paula Mattis, Unit Director, Division of Medical and Forensic Services, Department of Corrections, presented the request and responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Forrester, that the Committee approve the request of the Department of Corrections of a 100% General Fund appropriation for an additional \$509,500 for prescription drug expenses to cover projected shortfalls for the remainder of State Fiscal Year 2016. MOTION ADOPTED. (5-Yes, 4-No)

The Committee requested evidence that the Department is providing the minimal constitutional level of care and that the medical and pharmaceutical services that are contracted out are also providing constitutional minimal services to inmates.

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

FIS 16-037 Department of Transportation – On a motion by Senator D’Allesandro, seconded by Representative Weyler, that the Committee approve the request of the Department of Transportation to transfer \$35,000 between Turnpike Fund accounts and classes through June 30, 2016. MOTION ADOPTED.

FIS 16-050 Department of Transportation – Marie Mullen, Director of Finance, and Patrick Herlihy, Director, Bureau of Aeronautics, Rail and Transit, Department of Transportation, presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Weyler, that the Committee approve the request of the Department of Transportation to establish a non-budgeted class and to transfer \$289,000 in federal funds in and among accounting units through June 30, 2016. MOTION ADOPTED.

FIS 16-051 Department of Transportation – On a motion by Representative Weyler, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Transportation to transfer \$255,100 between Highway Fund accounts and classes through June 30, 2016. MOTION ADOPTED.

CHAPTER 276:143, LAWS OF 2015, DEPARTMENT OF HEALTH AND HUMAN SERVICES; TRANSFER AMONG ACCOUNTS, 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 16-057 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 Representative Barry, seconded by Representative Weyler, that the Committee table the request of the Department of Health and Human Services to; 1) accept and expend federal funds in the amount of \$7,460,754 for SFY 2016 and \$14,921,509 for SFY 2017 retroactive to January 5, 2016 through June 30, 2017, and subject to approval of #1 authorization to, 2) transfer general and agency funds in the amounts of \$6,628,814 and \$831,940 respectively for a combined total of \$7,460,754 in SFY 2016 and \$13,257,629 and \$1,663,880 respectively for a combined total of \$14,921,509 in SFY 2017, and subject to approval of #1 and #2 authorization to, 3) accept and expend \$7,460,754 for SFY 2016 and \$14,921,509 for SFY 2017 in federal funds retroactive to January 5, 2016 through June 30, 2017.

The Committee recessed at 12:03 p.m. and reconvened at 12:11 p.m.

At the request of Representative Rosenwald a roll call was taken and the results were as follows:

Representative Kurk – Yes  
Representative Eaton – No  
Representative Weyler – Yes  
Representative Barry – Yes  
Representative Rosenwald – No  
Senator Forrester – Yes  
Senator Little – Yes  
Senate President Morse – Yes  
Senator D’Allesandro – No (6-Yes; 3-No)  
MOTION ADOPTED.

The Chair called a special meeting regarding the Department of Health and Human Services tabled request, FIS 16-057, for Friday, April 8, 2016 at 10:00 a.m.

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

FIS 16-054 Department of Safety – On a motion by Representative Eaton, seconded by Senator Little, that the Committee approve the request of the Department of Safety to transfer \$124,660 in federal funds within accounting units through June 30, 2016. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

Jeffrey Meyers, Commissioner, and Sheri Rockburn, Chief Financial Officer, Department of Health and Human Services, addressed the Committee and responded to questions regarding; FIS 16-058 Department of Health and Human Services – February 29, 2016 Operating Statistics Dashboard report for the fiscal year ending June 30, 2016.

The informational items were accepted and placed on file.

10:30 a.m.

Audits:

State of New Hampshire, Public Utilities Commission, Financial Audit Report, For The Nine Months Ended March 31, 2015 – Stephen Smith, Director of Audits, and Pamela Veeder, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Martin Honigberg, Chairman, and Debra Howland, Executive Director, Public Utilities Commission, were present to respond to questions of the Committee.

No action was required as the Committee accepted, placed on file and released the audit at the beginning of the March 18, 2016 meeting.

State of New Hampshire, Lottery Commission, Management Letter, For The Fiscal Year Ended June 30, 2015– Stephen Smith, Director of Audits, and James LaRiviere, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Charles McIntyre, Executive Director, and Lynda Plante, Administrator, New Hampshire Lottery Commission, were present to respond to questions of the Committee.

No action was required as the Committee accepted, placed on file and released the audit at the beginning of the March 18, 2016 meeting.


MISCELLANEOUS:

Michael Kane, Legislative Budget Assistant, requested approval to fill one (1) vacant Administrative Assistant position in the Office of Legislative Budget Assistant, Audit Division.

On a motion by Representative Weyler, seconded by Representative Eaton, that the Committee approve the request of the Office of Legislative Budget Assistant to fill one (1) vacant Administrative Assistant position in the Office of Legislative Budget Assistant, Audit Division. MOTION ADOPTED.

DATE OF NEXT MEETING AND ADJOURNMENT:

A special meeting of the Fiscal Committee was set for Friday, April 8, 2016 at 10:00 a.m. and the next regular meeting of the Fiscal Committee was set for Friday, April 15, 2016 at 10:00 a.m. (Whereupon the meeting adjourned at 12:44 p.m.)

  
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Representative Ken Weyler, Clerk