

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
April 17, 2009

The Fiscal Committee of the General Court met on Friday, April 17, 2009 at 9:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Marjorie Smith, Chairman
Representative Neal Kurk
Representative Sharon Nordgren
Representative Daniel Eaton, Alternate
Representative Douglas Scamman
Representative Fran Wendelboe, Alternate
Senator Lou D'Allesandro
Senator Martha Fuller Clark, Alternate
Senator Kathleen Sgambati
Senator John Gallus

Chairman Smith opened the meeting at 9:05 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Scamman, seconded by Senator D'Allesandro, that the minutes of the March 20, 2009 meeting be accepted as written. MOTION ADOPTED.

MISCELLANEOUS:

The Committee requested that Commissioner Linda Hodgdon and Monica Ciolfi, from the Department of Administrative Services, appear at the next meeting of the Joint Fiscal Committee to fully explain the prescription plan for state employees and retired state employees.

CHAPTER 263:28, II, LAWS OF 2007, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

EIS 09-098 Department of Health and Human Services – Nicholas Toumpas, Commissioner, Department of Health and Human Services presented the request and responded to questions of the Committee.

On a motion by Senator Sgambati, seconded by Representative Nordgren, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$378,370. MOTION ADOPTED.

EIS 09-099 Department of Health and Human Services – Nicholas Toumpas, Commissioner, and P.J. Nadeau, Financial Manager, Juvenile Justice 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 Scamman, that the Committee table the request of the Department of Health and Human Services to accept and expend \$161,357. MOTION ADOPTED.

This item was tabled to allow the Department to return with a plan on how the requested amount to accept and expend would be used.

CHAPTER 263:28, III, LAWS OF 2007, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

EIS 09-100 Department of Health and Human Services – On a motion by Senator D'Allesandro, seconded by Representative Nordgren, that the Committee approve the request of the Department of Health and Human Services to transfer \$70,000. MOTION ADOPTED.

EIS 09-101 Department of Health and Human Services – Nicholas Toumpas, Commissioner, and Richard St. Onge, Senior Financial Analyst, Bureau of Elderly and Adult 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 Senator Fuller Clark, that the Committee approve the request of the Department of Health and Human Services to transfer \$5,925,000. MOTION ADOPTED. (8-Yes, 1-No)

The Committee requested additional information from the Department regarding the cost for personal care by family members for fiscal years 2008 and 2009, and a diagram of how the cost fall per individual.

EIS 09-102 Department of Health and Human Services – On a motion by Senator D'Allesandro, seconded by Representative Nordgren, that the Committee approve the request of the Department of Health and Human Services to transfer \$60,698. MOTION ADOPTED.

CHAPTER 263:28, II AND III, LAWS OF 2007, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

EIS 09-092 Department of Health and Human Services – Nicholas Toumpas, Commissioner, 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 Nordgren, that the Committee approve the request of the Department of Health and Human Services to transfer \$2,387,741 and increase related revenue adjustments of \$540,672 in federal funds and decrease revenue adjustments of \$134,514 in other funds. MOTION ADOPTED.

RSA 604-A:1-b ADDITIONAL FUNDING:

FIS 09-103 Judicial Council – On a motion by Representative Scamman, seconded by Representative Kurk, that the Committee approve the request of the Judicial Council to receive \$326,800 in additional General Funds from funds not otherwise appropriated through June 30, 2009. MOTION ADOPTED.

RSA 9:16-a, TRANSFERS AUTHORIZED:

CONSENT CALENDAR

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 09-119 Department of Safety – transfer \$80,000, FIS 09-120 Department of Safety – transfer \$14,000, FIS 09-121 Department of Safety – transfer \$17,000]

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$50,000 FROM ANY NON-STATE SOURCE:

CONSENT CALENDAR

At the request of the Chair, FIS 09-091 Office of Energy and Planning, FIS 09-093 Department of Environmental Services, FIS 09-097 Treasury Department, and FIS 09-111, FIS 09-112, FIS 09-113, FIS 09-114 Department of Labor were removed from the Consent Calendar for discussion.

On a motion by Senator D'Allesandro, seconded by Representative Nordgren, that the Committee approve the remaining requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 09-082 Department of Environmental Services – accept and expend \$88,400, FIS 09-094 Department of Environmental Services – accept and expend \$96,750, FIS 09-095 Department of Environmental Services – accept and expend \$1,730,000 in ARRA federal funds, FIS 09-096 Department of Transportation – accept and expend \$1,881,153, FIS 09-117 Department of Environmental Services – accept and expend \$487,303, FIS 09-118 Department of Cultural Resources – accept and expend \$149,000]

FIS 09-091 Office of Energy and Planning – Amy Ignatius, Director, and Donna Raymond, Fiscal Director, Office of Energy and Planning presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Sgambati, that the Committee approve the request of the Office of Energy and Planning to accept and expend \$2,054,626.73. MOTION ADOPTED.

The Committee requested additional information from the Department showing the percentage and the dollar amount of administrative expenses going to or allowed to each CAP agency and also information on the total number of units done in the past and the cost per home.

EIS 09-093 Department of Environmental Services – Susan Carlson, Chief Financial Officer, Department of Environmental Services presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Nordgren, that the Committee approve the request of the Department of Environmental Services to accept and expend \$352,412. MOTION ADOPTED.

EIS 09-097 Treasury Department – Catherine Provencher, State Treasurer, presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Scamman, that the Committee approve the request of the Treasury Department to accept and expend \$2,000,000. MOTION ADOPTED.

EIS 09-111 Department of Labor – George Copadis, Commissioner, Department of Labor presented the request and responded to questions of the Committee. Cindy Naiditch, Executive Director of the Workforce Opportunity Council, Inc. was also present to respond to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Fuller Clark, that the Committee approve the request of the Department of Labor to accept and expend \$1,234,406 in ARRA federal funds on behalf of the Workforce Opportunity Council, Inc. MOTION ADOPTED.

EIS 09-112 Department of Labor – George Copadis, Commissioner, Department of Labor presented the request and responded to questions of the Committee. Cindy Naiditch, Executive Director of the Workforce Opportunity Council, Inc. was also present to respond to questions of the Committee.

On a motion by Senator Gallus, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Labor to accept and expend \$2,501,984 in ARRA federal funds on behalf of the Workforce Opportunity Council, Inc. MOTION ADOPTED.

EIS 09-113 Department of Labor – George Copadis, Commissioner, Department of Labor presented the request and responded to questions of the Committee. Cindy Naiditch, Executive Director of the Workforce Opportunity Council, Inc. was also present to respond to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Gallus, that the Committee approve the request of the Department of Labor to accept and expend \$2,918,025 in ARRA federal funds on behalf of the Workforce Opportunity Council, Inc. MOTION ADOPTED.

EIS 09-114 Department of Labor – George Copadis, Commissioner, Department of Labor presented the request and responded to questions of the Committee. Cindy Naiditch, Executive Director of the Workforce Opportunity Council, Inc. was also present to respond to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Nordgren, that the Committee approve the request of the Department of Labor to accept and expend \$126,306 in ARRA federal funds. MOTION ADOPTED.

RSA 9:16-a, TRANSFERS AUTHORIZED AND CHAPTER 262, LAWS OF 2007, BUDGET FOOTNOTE C:

EIS 09-090 Department of Transportation – Leonard Russell, Administrator, Bureau of Finance and Contracts, and Michael Pillsbury, Assistant Director of Operations, Department of Transportation 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 Transportation to transfer \$675,000, and accept and expend \$2,305,000 in agency income and expenditures for the Mechanical Services Bureau. MOTION ADOPTED.

RSA 21-P:23 HIGHWAY FUND SURPLUS:

EIS 09-122 Department of Safety – Wesley Colby, 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 \$585,000 from the Highway Surplus account. MOTION ADOPTED.

RSA 206:33-b TRANSFERS FROM FISH AND GAME FUND:

EIS 09-104 New Hampshire Fish and Game Department – On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the New Hampshire Fish and Game Department to transfer \$25,000. MOTION ADOPTED.

216-A:3-g FEES FOR PARK SYSTEM:

EIS 09-105 Department of Resources and Economic Development – Kenneth Plourde, Business Administrator, and John DeVivo, General Manager, Cannon Mountain Ski Area, Department of Resources and Economic Development presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Gallus, that the Committee approve the request of the Department of Resources and Economic Development for rate changes on the primary products at Cannon Mountain and approve the Cannon Mountain Winter Special Use Policy. MOTION ADOPTED.

CHAPTER 263:42, LAWS OF 2007, TRANSFERS AMONG ACCOUNTS; OFFICE OF INFORMATION TECHNOLOGY:

EIS 09-106 Department of Information Technology – On a motion by Senator D'Allesandro, seconded by Senator Fuller Clark, that the Committee approve the request of the Department of Information Technology to transfer \$124,800. MOTION ADOPTED.

LATE ITEMS:

EIS 09-124 Department of Education – Mary Heath, Deputy Commissioner, and Michael Bieniek, Business Administrator, Department of Education presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Fuller Clark, that the Committee approve the request of the Department of Education to accept and expend \$215,765 in American Recovery and Reinvestment Act (ARRA) federal funds through June 30, 2010. MOTION ADOPTED.

EIS 09-130 Department of Education – Mary Heath, Deputy Commissioner, and Michael Bieniek, Business Administrator, Department of Education presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Nordgren, that the Committee approve the request of the Department of Education to accept and expend \$808,156 in American Recovery and Reinvestment Act (ARRA) federal funds through September 30, 2010. MOTION ADOPTED. (6-Yes, 2-No)

The Committee requested the Department provide a report on what school districts receive the funds at such time as that information is available.

FIS 09-131 Department of Education – Mary Heath, Deputy Commissioner, and Michael Bieniek, Business Administrator, Department of Education presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Nordgren, that the Committee approve the request of the Department of Education to accept and expend \$23,730,633 in American Recovery and Reinvestment Act (ARRA) federal funds through September 30, 2010. MOTION ADOPTED. (5-Yes, 2-No)

FIS 09-135 Department of Education – Mary Heath, Deputy Commissioner, and Michael Bieniek, Business Administrator, Department of Education presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Nordgren, that the Committee approve the request of the Department of Education to accept and expend \$15,473,827 in American Recovery and Reinvestment Act (ARRA) federal funds through December 31, 2011 and establish one temporary Education Consultant position through December 31, 2011. MOTION ADOPTED.

FIS 09-127 Department of Safety – Wesley Colby, 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 accept and expend \$546,689. MOTION ADOPTED.

FIS 09-129 Department of Safety – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Safety to transfer \$75,050 for anticipated shortages in personal services-permanent, salary of Fire Marshall and benefits for FY 2009. MOTION ADOPTED.

FIS 09-125 Department of Resources and Economic Development – Kenneth Plourde, Business Administrator, Theodore Austin, Director, Division of Parks and Recreation, and Gail Woleck, Deputy Director, Department of Resources and Economic Development presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Scamman, that the Committee approve the request of the Department of Resources and Economic Development for approval of rate changes of fees for the Park System. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Commission for Human Rights, Financial Audit Report For the Six Months Ended December 31, 2008 – Richard Mahoney, Director of Audits, and Elizabeth Bielecki, Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Joni Esperian, Executive Director, Human Rights Commission was also present to respond to questions of the Committee.

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

State of New Hampshire, Liquor Commission, Performance Audit Report, April 2009 – Richard Mahoney, Director of Audits, and John Clinch, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Mark Bodi, Chairman, and Richard Simard, Liquor Commissioner, Liquor Commission were also present to respond to questions of the Committee.

On a motion by Representative Nordgren, seconded by Senator D'Allesandro, 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 was set for Friday, May 15, 2009 at 9:00 a.m. (Whereupon the meeting adjourned.)

Representative Neal Kurk, Clerk