

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES

April 21, 2004

The Fiscal Committee of the General Court met on Wednesday, April 21, 2004 at 9:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Neal Kurk, Chairman
Senator Richard Green, Vice Chairman
Representative Beverly Rodeschin, Clerk
Representative Edwin Smith
Representative Joseph Stone
Representative Marjorie Smith
Senator Thomas Eaton
Senator Robert Clegg
Senator Robert Odell
Senator Lou D'Allesandro

Chairman Kurk opened the meeting at 9:11 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Stone, seconded by Senator Green, that the minutes of the March 24, 2004 meeting be accepted as written. MOTION ADOPTED.

NEW BUSINESS:

RSA 9:16-a Transfers Authorized - Consent Calendar:

FIS 04-066 Department of Administrative Services, Bureau of Court Facilities, FIS 04-076 Fish and Game Department, FIS 04-080 Board of Nursing, and FIS 04-083 Office of the Adjutant General - On a motion by Representative Edwin Smith, seconded by Senator Odell, that all the requests under this section be approved as submitted. MOTION ADOPTED.

RSA 124:15 Positions Restricted - Consent Calendar:

FIS 04-082 Office of the Adjutant General - On a motion by Senator D'Allesandro, seconded by Representative Edwin Smith, that the Committee approve the request of the Office of the Adjutant General to establish an Electronic Technician II position through September 30, 2004. MOTION ADOPTED.

Chapter 318:9,II, Laws of 2003 - General Fund Appropriation Reductions:

FIS 04-070 Department of Health and Human Services - John Stephen, Commissioner and James Fredyma presented the request and responded to questions of the Committee.

On a motion by Representative Edwin Smith, seconded by Representative Stone, that the Committee approve the request from the Department of Health and Human Services to amend the November 19, 2003 Fiscal Committee approved request (FIS 03-182) for general fund

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Chapter 318:9,II, Laws of 2003 - General Fund Appropriation Reductions (continued):

appropriation reductions, whereby the FY 2004 reduction is increased by \$192,566 and the FY 2005 amount is reduced by the same amount. MOTION ADOPTED.

Chapter 319:1,II, Laws of 2003 Department of Health and Human Services; Additional Revenues:

FIS 04-074 Department of Health and Human Services, Office of Research & Analysis - John Stephen, Commissioner and James Fredyma presented the request and responded to questions of the Committee.

On a motion by Senator Green, seconded by Representative Edwin Smith, that the Committee approve the request from the Department of Health and Human Services, Office of Research & Analysis to accept and expend \$262,797 in federal funds. MOTION ADOPTED.

Chapter 319:1,II, Laws of 2003 Additional Revenues and Chapter 319:1,VI, Laws of 2003 Transfer of Funds; Department of Health and Human Services:

FIS 04-087 Department of Health and Human Services - John Stephen, Commissioner and James Fredyma presented the request and responded to questions of the Committee.

On a motion by Senator Clegg, seconded by Representative Stone, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$1,265,720 in federal funds and \$603,541 in other funds and transfer \$5,313,410. MOTION ADOPTED.

Chapter 319:122, Laws of 2003 - Enhanced 911; Fund Established:

FIS 04-088 Department of Safety, Division of Fire Safety and Emergency Management, Bureau of Emergency Management, Emergency Communications Section - Tim Mason and Peter DeNutte presented the request and responded to questions of the Committee.

On a motion by Senator Eaton, seconded by Representative Edwin Smith, that the Committee approve the request from Department of Safety, Division of Fire Safety and Emergency Management, Bureau of Emergency Management, Emergency Communications Section to transfer \$312,000 from the Non-Lapsed Enhanced 9-1-1- System Fund. MOTION ADOPTED.

RSA 7:12 Assistants:

FIS 04-081 Department of Justice - Mark Thompson, Director of Administration presented the request and responded to questions of the Committee.

On a motion by Senator Eaton, seconded by Representative Edwin Smith, that the Committee approve the request of the Department of Justice to utilize funds previously approved in the case of *State v. Fiscal Committee Minutes*

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RSA 7:12 Assistants (continued):

Manuel Gehring for litigation costs incurred by the Department in other criminal and civil litigation cases. (The Committee requested that Mr. Thompson provide a specific list of cases and estimates required for each case before the end of the meeting and this request would be revisited at that time.)

RSA 206:33-b Transfers from Fish and Game Fund:

FIS 04-065 Fish and Game Department - On a motion by Senator Green, seconded by Representative Stone, that the Committee approve the request of the Fish and Game Department to transfer \$195,557 from the Fish and Game Operating Reserve Account. MOTION ADOPTED.

FIS 04-077 Fish and Game Department - On a motion by Representative Stone, seconded by Senator Green, that the Committee approve the request of the Fish and Game Department to transfer \$16,260 from the Fish and Game Operating Reserve Account. MOTION ADOPTED.

MISCELLANEOUS:

Letter from Michael Buckley, Legislative Budget Assistant - On a motion by Senator Eaton, seconded by Representative Edwin Smith, that the Committee approve the request of the Legislative Budget Assistant for authorization to fill five vacancies in the Audit Division. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

Senator Green requested that the following informational items be held and discussed at the May Fiscal Committee meeting:

FIS 04-062 Department of Administrative Services - Follow-up Report on the LBA Audit of the Department of Education for the fiscal year ended June 30, 2000

FIS 04-064 Office of the Governor, Office of Information Technology (Chapter 318, Laws of 2003) - Update Report Regarding the Status of the MAAP Project

FIS 04-068 Department of Health and Human Services (Chapter 319:42, Laws of 2003) - Final Report on the Status of the Division of Elderly and Adult Services progress in transitioning Home and Community Based Care for the Elderly and Chronically Ill case management services to private case management providers and the reduction of 12 DEAS social worker positions

INFORMATIONAL MATERIALS (continued):

FIS 04-071 Department of Health and Human Services (Chapter 318:9, II, Laws of 2003) - status report of general fund budget reductions for SFY 2004

FIS 04-072 Department of Health and Human Services - response to questions asked of the Department regarding the Medicaid Management Information Systems reporting

FIS 04-073 Department of Health and Human Services (Chapter 319:30, Laws of 2003) - Medicaid Program Audit Follow-up for the 2002 Medicaid Program Financial and Compliance Audit Report as of December 31, 2003

FIS 04-084 Office of the Governor, Office of Information Technology (Chapter 223:15, Laws of 2003) - April 2004 cost savings report from the reorganization of information technology employees and functions

Senator Clegg requested that the following informational item be held and discussed at the May Fiscal Committee meeting:

FIS 04-075 Department of Administrative Services, Division of Accounting Services - encumbrance information relative to the Highway Fund

LATE ITEMS:

FIS 04-089 Department of Transportation - William Watson, Finance and Contracts Administrator presented the request and responded to questions of the Committee.

On a motion by Representative Edwin Smith, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Transportation to transfer \$1,398,500. MOTION ADOPTED.

FIS 04-090 Department of Health and Human Services - James Fredyma presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Edwin Smith, that the Committee approve the request of the Department of Health and Human Services to transfer \$407,456.50 in state general funds otherwise unappropriated, and accept and expend \$407,893.96 in federal funds. MOTION ADOPTED.

AUDIT:

State of New Hampshire, Home Care for Children with Severe Disabilities Performance Audit - April 2004 - Catherine Provencher, Director of Audits, Office of Legislative Budget Assistant presented the audit and responded to questions of the Committee. John Stephen, Commissioner, Department of Health and Human Services was also present to respond to questions of the Committee.

AUDIT (continued):

On a motion by Representative Rodeschin, seconded by Senator Eaton, that the Home Care for Children with Severe Disabilities Performance Audit be accepted, placed on file and released in the usual manner. MOTION ADOPTED.

RSA 7:12 Assistants (continued discussion):

FIS 04-081 Department of Justice - Mark Thompson, Director of Administration distributed copies of a list of cases in which the Department of Justice has either incurred costs that have yet to be billed, or in all likelihood will be incurring costs over the next two months. Mr. Thompson stated that he anticipates these cases will cost a total of \$75,000.

On a motion by Senator Green, seconded by Representative Marjorie Smith, that the request from the Department of Justice be amended and approved to utilize \$75,000 in funds previously approved in the case of *State v. Manuel Gehring* for litigation costs incurred by the Department in other criminal and civil litigation cases. MOTION ADOPTED.

MISCELLANEOUS:

Senator Eaton stated that the Committee members had received a letter from Senator Gatsas regarding a \$350,000 payment to Elliott Hospital, like we did for Androscoggin Hospital during the budget process. Senator Eaton requested that the letter be part of the record and noted that the Senate will be working on this to come up with a conclusion for next month.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next meeting of the Fiscal Committee is scheduled for Wednesday, May 19th at 9:00 a.m. in Room 210-211 of the Legislative Office Building. (A future meeting date has also been set for Wednesday, June 16.)

Whereupon the Committee adjourned.

Representative Beverly Rodeschin, Clerk