

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
October 18, 2006

The Fiscal Committee of the General Court met on Wednesday, October 18, 2006 at 9:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Frederick King, Chairman
Representative Joseph Stone
Representative Kenneth Weyler
Representative Elizabeth Hager
Representative Mary Jane Wallner
Representative Peter Franklin
Senator Theodore Gatsas
Senator Robert Clegg
Senator John Barnes, Jr.
Senator John Gallus
Senator Lou D'Allesandro

Chairman King opened the meeting at 9:10 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator D'Allesandro, seconded by Representative Hager, that the minutes of the September 19, 2006 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

FIS 06-239 New Hampshire Retirement System - response to various questions by members of the Fiscal Committee at the August 2006 Fiscal Committee meeting **Tabled 9/19/06** - Chairman King stated that Executive Director Leggert was out of state and unable to attend this meeting. This item will remain on the table and Director Leggert will be in attendance at the November meeting.

FIS 06-260 Department of Resources and Economic Development (RSA 12-A:29-c) Report on Activities of the Cannon Mountain Capital Improvement Fund for FY 2006 **Tabled 9/19/06** - George Bald, Commissioner, Allison McLean, Director, Parks and Recreation and Phyllis Ricker, Enterprise Functions Supervisor, Department of Resources and Economic Development gave an update on the Cannon Mountain Capital Improvement Fund and responded to questions of the Committee.

On a motion by Senator Gatsas, seconded by Representative Stone, that this informational item be placed back on the table awaiting further information that was requested from the Department. MOTION ADOPTED.

RSA 9:16-a TRANSFERS AUTHORIZED:

FIS 06-300 Department of Administrative Services, Bureau of Graphic Services - On a motion by Senator Barnes, seconded by Senator D'Allesandro, that the Committee approve the request from the

Department of Administrative Services, Bureau of Graphic Services to transfer \$11,000. MOTION ADOPTED.

LATE ITEM:

Representative Norman Major, Chairman of the House Ways and Means Committee distributed copies of handouts and gave the Committee an update on what he had heard during hearings held this week from various state agency heads relative to revenue projections and what has actually been collected.

RSA 124:15 POSITIONS RESTRICTED:

FIS 06-309 Department of Safety, Division of Motor Vehicles.-On a motion by Representative Stone, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Safety, Division of Motor Vehicles to establish a Word Processor I position through June 30, 2007. MOTION ADOPTED.

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

Chairman King had questions on the Department of Justice requests. Valerie Hall, Director of Administration responded to those questions. Senator Gatsas referred to the recent fatality of the Manchester police officer and asked if there were enough funds in the special account for whatever is going to take place for the Attorney General to move the extradition and everything else forward along with whatever else she needs to do. Ms. Hall said she would call her office to find out what the balance is in the litigation account and she would get back to the Committee later in the meeting.

Chairman King also had questions for Commissioner Bald from the Department of Resources and Economic Development.

On a motion by Senator Barnes, seconded by Representative Stone, that the Committee approve all the requests listed on the agenda under this section. MOTION ADOPTED. (FIS 06-292 Department of Justice - accept and expend \$376,391, FIS 06-299 Department of Justice - accept and expend \$114,135, FIS 06-302 Department of Justice - accept and expend \$63,389, FIS 06-303 Department of Justice - accept and expend \$91,015, FIS 06-304 Department of Justice - accept and expend \$1,192,435, FIS 06-305 Department of Justice - accept and expend \$996,233, FIS 06-297 Department of Education - accept and expend \$322,937, FIS 06-306 Department of Resources and Economic Development, Division of Economic Development - accept and expend \$550,000, FIS 06-307 Department of Transportation - accept and expend \$4,873,350, and FIS 06-312 Department of Safety, Division of Fire Safety - accept and expend \$50,319)

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$50,000 FROM ANY NON-STATE SOURCE AND RSA 124:15 POSITIONS RESTRICTED:

FIS 06-290 Department of Education - Mary Heath, Deputy Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Franklin, that the Committee approve the request from the Department of Education to accept and expend \$1,342,983.09 and establish an Education Consultant I position through June 30, 2007. MOTION ADOPTED.

LATE ITEM:

FIS 06-316 Department of Education - Mary Heath, Deputy Commissioner and Deborah Wiswell, Director of Accountability presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Weyler, that the Committee approve the request from the Department of Education to accept and expend \$1,262,875.94 and establish positions and hire consultants. MOTION ADOPTED.

CHAPTER 176:1, LAWS OF 2005 PAU 02-13-04-03, CLASS 98 RELOCATION AND REHABILITATION FUND FOOTNOTE:

FIS 06-311 Liquor Commission - On a motion by Representative Stone, seconded by Senator D'Allesandro, that the Committee authorize the expenditure of \$97,241 for relocating the Plaistow and Gilford stores and renovating the Wolfeboro store. MOTION ADOPTED.

CHAPTER 176:1, LAWS OF 2005 PAU 02-18-01, CLASS 93 PUBLIC DEFENDER FOOTNOTE:

FIS 06-310 Judicial Council - Nina Gardner, Executive Director presented the request and responded to questions of the Committee. Karen Anderson, Administrator, Public Defender Office was also present to respond to questions.

On a motion by Senator Barnes, seconded by Senator Clegg, that the request from the Judicial Council for an additional \$193,077 in general funds for the Public Defender Program be denied.

A roll call was requested and the results were as follows:

Representative King - Yes
Representative Weyler- Yes
Representative Stone - Yes
Representative Wallner - No
Representative Franklin - No
Senator Gatsas - Yes
Senator Clegg - Yes
Senator Gallus - Yes
Senator Barnes - Yes
Senator D'Allesandro - No (7-Yes; 3-No) MOTION ADOPTED.

CHAPTER 177:1, LAWS OF 2005 TRANSFERS AMONG ACCOUNTS; OFFICE OF INFORMATION TECHNOLOGY:

FIS 06-298 Office of Information Technology - On a motion by Senator Barnes, seconded by Senator D'Allesandro, that the Committee approve the request from the Office of Information Technology to transfer \$43,000. MOTION ADOPTED.

CHAPTER 177:4, III, LAWS OF 2005 DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 06-301 Department of Health and Human Services, Division of Family Assistance - On a motion by Representative Wallner, seconded by Representative Hager, that the Committee approve the request from the Department of Health and Human Services, Division of Family Assistance to transfer \$16,050. MOTION ADOPTED.

RSA 193-E:5, III UNIQUE PUPIL IDENTIFICATION:

FIS 06-254 Department of Education - \$12,500 contract with Cynthia Currier of Georges Mills and FIS 06-291 Department of Education - \$11,300 contract with Christine Hayes of Colebrook - On a motion by Senator D'Allesandro, seconded by Representative Stone, that the Committee approve both these requests as submitted. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

Chairman King had questions on item FIS 06-296 from the Department of Health and Human Services. John Stephen, Commissioner and James Fredyma, Controller responded to the questions.

LATE ITEM:

Orville Fitch, Deputy Attorney General, Ann Rice, Associate Attorney General and Valerie Hall, Director of Administration stated that there is a balance in the litigation fund of \$128,875. \$649,000 was expended in FY 2006, and the preliminary budget for a death penalty case was \$420,000.

FIS 06-320 Department of Justice - On a motion by Senator Gatsas, seconded by Senator Barnes, that the Committee approve the request from the Department of Justice for authorization to expend \$420,000 from funds not otherwise appropriated for the purpose of employing two (2) full-time Assistant Attorney Generals, one (1) full-time Paralegal, one (1) part-time Secretary and such other expenses as detailed in the attached letter to the Committee dated October 18, 2006.

The Committee requested that the Attorney General give periodic updates as to the use of these funds.

A roll call was requested and the results were as follows:

Representative King - Yes
Representative Hager - Yes
Representative Stone - Yes
Representative Wallner - Yes
Representative Franklin - Yes
Senator Gatsas - Yes
Senator Clegg - Yes
Senator Gallus - Yes
Senator Barnes - Yes
Senator D'Allesandro - Yes (10-Yes; 0-No) MOTION ADOPTED.

DATE OF NEXT MEETING AND ADJORNMENT:

The next meeting of the Fiscal Committee was set for Tuesday, November 14, 2006. (Whereupon the meeting adjourned at 12:10 p.m.)

Representative Joseph Stone, Clerk