

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES

November 16, 2005

The Fiscal Committee of the General Court met on Wednesday, November 16, 2005 at 3:30 p.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Frederick King, Chairman  
Senator Charles Morse, Vice Chairman  
Representative Joseph Stone, Clerk  
Representative Elizabeth Hager  
Representative Daniel Eaton  
Representative Peter Franklin  
Senator Theodore Gatsas  
Senator Robert Clegg, Jr.  
Senator Richard Green  
Senator Lou D'Allesandro

Chairman King opened the meeting at 3:30 p.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator Green, seconded by Representative Eaton, that the minutes of the October 19, 2005 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

Update from Commissioner Murray on the Status of the Highway Surplus Account - No report was given.

FIS 05-203 Administrative Office of the Courts - proposed revisions to the weighted case values used for calculating the annual salaries of part-time district and probate court justices appointed after July 1, 1987 in the district court, and after October 3, 1986 in the probate court (**tabled 10/19/05**) - Senator Morse stated that the Senate had met with the court system and noted that they are all set with their questions.

On a motion by Senator Morse, seconded by Representative Hager, that the Committee approve the request of the Administrative Office of the Courts to revise the weighted case values used for calculating the annual salaries of part-time district and probate court justices appointed after July 1, 1987, in the district court and after October 3, 1986, in the probate court, as specified in their dated October 7, 2005 and attachment. MOTION ADOPTED.

Senator Green requested that the next three items under old business be held until the next meeting for further discussion:

Letter dated October 12, 2005 and attachments from Michael L. Buckley, Legislative Budget Assistant (Chapter 176:9,I, Laws of 2005) 90-day Report on Examination of the Accounting for the Financial Reporting of the Highway Fund (**Senator Green requested this item be held over from the 10/19/05 meeting for further discussion.**)

FIS 05-195 Department of Health and Human Services (Chapter 176:15, Laws of 2005) Report on Administrative Contract Savings in FY 2006 **(Senator Green requested this item be held over from the 10/19/05 meeting for further discussion.)**

FIS 05-204 Department of Administrative Services (Chapter 319:32, Laws of 2003) Report on the Implementation of the State Employee Self-Insured Health Plan **(Senator Green requested this item be held over from the 10/19/05 meeting for further discussion.)**

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

FIS 05-246 Office of Information Technology - On a motion by Senator Morse, seconded by Senator Gatsas, that the Committee approve the request from the Office of Information Technology to transfer \$13,000. MOTION ADOPTED.

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

FIS 05-221 Department of Health and Human Services - John Stephen, Commissioner presented the request and responded to questions of the Committee.

On a motion by Representative Stone, seconded by Senator Morse, that the Committee approve the request from the Department of Health and Human Services to accept and expend \$1,107,786.18. MOTION ADOPTED.

FIS 05-225 Department of Health and Human Services, Division of Public Health Services - John Stephen, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Green, seconded by Representative Stone, that the Committee approve the request from the Department of Health and Human Services, Division of Public Health Services to accept and expend \$30,110. MOTION ADOPTED.

FIS 05-230 Department of Health and Human Services, Division of Public Health Services - On a motion by Representative Hager, seconded by Senator Green, that the Committee approve the request from the Department of Health and Human Services, Division of Public Health Services to accept and expend \$55,246. MOTION ADOPTED.

FIS 05-232 Department of Health and Human Services, Bureau of Elderly and Adult Services - James Fredyma presented the request and responded to questions of the Committee.

On a motion by Representative Hager, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Health and Human Services, Bureau of Elderly and Adult Services to accept and expend \$480,000 in federal funds and \$237,625 in county funds. MOTION ADOPTED.

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

FIS 05-234 Department of Health and Human Services, Division of Community Supports - John Stephen, Commissioner and Matthew Ertas, Bureau Chief, Community Based Care Services 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 from the Department of Health and Human Services, Division of Community Supports to accept and expend \$191,963 and transfer \$191,771. 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:

FIS 05-228 Fish and Game Department - Daniel Lynch, Assistant Director presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Hager, that the Committee approve the request of the Fish and Game Department to accept and expend \$391,000. MOTION ADOPTED.

FIS 05-231 Department of Corrections - Stephen Curry, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Gatsas, seconded by Representative Stone, that the Committee approve the request of the Department of Corrections to accept and expend \$300,000. MOTION ADOPTED.

FIS 05-236 Department of Environmental Services - Susan Carlson, Chief Financial Officer 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 Environmental Services to accept and expend \$197,650. MOTION ADOPTED.

FIS 05-243 Department of Safety, Division of Emergency Services - Wesley Colby, Director of Administration 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 of the Department of Safety, Division of Emergency Services to accept and expend \$1,000,000. MOTION ADOPTED.

Senator Gatsas asked if the City of Manchester could apply under this emergency declaration for Katrina for reimbursement of the costs associated with their firefighters going to the area of the hurricane damage to assist? Mr. Colby stated he did not have an answer to

Senator Gatsas' question but he would inquire and get back to Senator Gatsas.

FIS 05-245 Department of Safety, Division of State Police - Wesley Colby, Director of Administration 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, Division of State Police to accept and expend \$986,643. MOTION ADOPTED.

Senator D'Allesandro asked about the status of the Digital Interoperability Project and have small fire departments received their radio's yet? Mr. Colby stated he did not have an answer for Senator D'Allesandro and that he would inquire and get back to Senator D'Allesandro.

FIS 05-247 Department of Safety, Division of State Police - Wesley Colby, Director of Administration presented the request and responded to questions of the Committee.

On a motion by Senator Green, seconded by Representative Eaton, that the Committee approve the request of the Department of Safety, Division of State Police to accept and expend \$986,643. MOTION ADOPTED.

Senator D'Allesandro asked what specific equipment is planned to be purchased under this grant as budgeted in Class 30 (equipment)?

Mr. Colby stated that he would supply the Committee with a list of equipment which was approved by the federal government.

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 05-218 Department of Cultural Resources - Kathleen Stanick, Business Administrator presented the request and responded to questions of the Committee.

On a motion by Representative Stone, seconded by Senator Morse, that the Committee approve the request of the Department of Cultural Resources to accept and expend \$100,000 and establish a Library Assistant position through September 30, 2006. MOTION ADOPTED.

FIS 05-229 Department of Environmental Services - Susan Carlson, Chief Financial Officer presented the request and responded to questions of the Committee.

On a motion by Representative Hager, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Environmental Services to accept and expend \$104,649 and establish an Environmentalist IV position through June 30, 2007. MOTION ADOPTED.

FIS 05-248 Department of Education - Lyonel Tracy, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Green, seconded by Senator Gatsas, that this request be tabled. MOTION ADOPTED.

RSA 193-E:5 UNIQUE PUPIL IDENTIFICATION:

FIS 05-223 Department of Education - \$10,000 contract with Southeastern Regional Education Service Center, FIS 05-239 Department of Education - \$9,900 contract with Christina Emery, FIS 05-240 Department of Education - \$6,642 contract with Polly Armstrong, FIS 05-241 Department of Education - \$9,328 contract with Christine Hayes and FIS 05-244 Department of Education - \$116,320 contract with Community & School Partners, LLC - On a motion by Senator Green, seconded by Representative Hager, that all these requests be approved as submitted. MOTION ADOPTED.

RSA 228:68,I(b) APPROPRIATION AND USE OF SPECIAL RAILROAD FUND:

FIS 05-237 Department of Transportation, Bureau of Rail and Transit - Christopher Morgan, Administrator, Rail and Transit presented the request and responded to questions of the Committee.

On a motion by Senator Green, seconded by Representative Hager, that the Committee approve the request of the Department of Transportation, Bureau of Rail and Transit for authorization to expend an amount not to exceed \$40,000 for maintenance and repairs to active state-owned railroad corridors. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

Chairman King stated that he has set the date of Thursday, December 8<sup>th</sup> at 11:00 a.m. in Room 210-211 of the Legislative Office Building for a special meeting of the Fiscal Committee and the Department of Health and Human Services regarding the Care Management Pilot Program, pursuant to the provisions of Chapter 177:123, Laws of 2005.

Commissioner Stephen responded to various questions from members of the Committee on items that were under "informational materials" dealing with the Department of Health and Human Services.

Senator Green requested further information on item FIS 05-222 relative to "clawback" issues. Marilee Nihan, Financial Manager, Office of Medicaid addressed the Committee regarding the state phase-down contribution, better known as the "clawback" payment to the Feds.

Senator Clegg asked about the state spending twice for medications and not receiving reimbursement from the Feds. Commissioner Stephen explained his department is in the process of putting together an accounting system to account for every dollar we spend in addition to the "clawback", so that we can continue to raise the issue with the Feds.

Senator Green requested information on how the Department of Health and Human Services is implementing the Care Management Program.

Representative Franklin asked if Commissioner Stephen would have information for the Committee prior to the December 8<sup>th</sup> special meeting.

Chairman King congratulated Commissioner Stephen and his staff on receiving a \$1,926,063 bonus for the work that the employees of the Department of Health and Human Services did for the TANF Program.

Commissioner Stephen explained informational request FIS 05-235 regarding rate adjustments for home care services in FY 2006.

On a motion by Senator Green, seconded by Senator Gatsas, that the Committee go on record as supporting the rate adjustments for home care services as presented in informational request FIS 05-235.  
MOTION ADOPTED.

AUDIT:

Senator Gatsas congratulated Catherine Provencher, Director of Audits, Office of Legislative Budget Assistant for the kudos the Office received from the National Auditors Association.

State of New Hampshire, Police Standards and Training Council Financial and Compliance Audit Report For the Nine Months Ended March 31, 2005 - Catherine Provencher, Director of Audits, Office of Legislative Budget Assistant presented the audit and responded to questions of the Committee. Keith Lohmann, Executive Director, Police Standards and Training Council was also present to respond to questions.

On a motion by Representative Stone, seconded by Senator D'Allesandro, that the Committee accept the report, place it on file and release it in the usual manner. MOTION ADOPTED.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next regular meeting of the Fiscal Committee will be on Thursday, December 22, 2005 at 9:30 a.m. in Room 210-211 of the LOB.

On a motion by Senator D'Allesandro, seconded by Representative Stone, that the meeting adjourn. MOTION ADOPTED.

Representative Joseph Stone, Clerk