

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

April 19, 2013

The Fiscal Committee of the General Court met on Friday, April 19, 2013 at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Mary Jane Wallner, Chairman  
Representative Ken Weyler, Clerk  
Representative Sharon Nordgren (Alternate)  
Representative Peter Leishman  
Representative Daniel Eaton  
Senator Chuck Morse  
Senator Bob Odell  
Senator Jeanie Forrester  
Senator Sylvia Larsen  
Senator Andy Sanborn

Chairman Wallner opened the meeting at 10:06 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Eaton, seconded by Representative Weyler, that the minutes of the March 8, 2013 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

FIS 12-359 McAuliffe-Shepard Discovery Center – request for approval of the business plan for the operation of the McAuliffe-Shepard Discovery Center. Tabled 12/21/12. No Action Taken.

FIS 13-024 Department of Justice – On a motion by Representative Leishman, seconded by Representative Eaton, that the item be removed from the table. MOTION ADOPTED.

Jeffrey Pattison, Legislative Budget Assistant, reported to the Committee that the Department of Justice wished to withdraw the request to establish four (4) full-time temporary positions to consist of: an Attorney (unclassified), an Investigator (unclassified), a Managing Analyst-Financial (unclassified) and a Paralegal II (classified) through June 30, 2013 and further establish one (1) part-time temporary classified Legal Secretary III position through June 30, 2013 and Ann Rice, Deputy Attorney General, Department of Justice was present to confirm the action. WITHDRAWN BY AGENCY.

FIS 13-040 Public Utilities Commission – accept and expend \$2,663,089. Tabled 02/01/13. No Action Taken.

FIS 13-055 Joint Board of Licensure and Certification – On a motion by Senator Morse, seconded by Representative Eaton, that the item be removed from the table. MOTION ADOPTED.

On a motion by Senator Morse, seconded by Representative Eaton, that the Committee **amend** and approve the request of the Joint Board of Licensure and Certification to reclassify position number 18095 from Administrator II, salary grade 29, to Executive Director, Joint Board, salary grade 35, **effective July 1, 2013**. MOTION ADOPTED.

FIS 13-081 Letter from Representative Lucy McVitty Weber, Chairman of the Legislative Performance Audit and Oversight Committee relative to the recommendation of the performance audit topics for 5) Police Standards and Training Council, The Council in Performance of its Charter. Tabled 03/08/13. No Action Taken.

FIS 13-082 Department of Administrative Services – On a motion by Senator Morse, seconded by Representative Eaton, that the item be removed from the table. MOTION ADOPTED. (9-Yes, 1-No)

On a motion by Senator Morse, seconded by Representative Eaton, that the Committee **amend** and approve the request of the Department of Administrative Services to reclassify position number 10082 from Administrator II, Health and Safety Coordinator, labor grade 29, to Administrator Plant and Property Management, labor grade 35, **effective July 1, 2013**. MOTION ADOPTED.

#### NEW BUSINESS:

#### RSA 9:16-a TRANSFERS AUTHORIZED:

#### CONSENT CALENDAR

At the request of Senator Morse FIS 13-087 New Hampshire Veterans Home was removed from the consent calendar.

On a motion by Representative Eaton, seconded by Senator Morse, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 13-085 Department of Safety – transfer \$358,740, FIS 13-086 State Treasury – transfer \$651,607, FIS 13-097 Insurance Department – transfer \$78,200, FIS 13-106 Department of Transportation – transfer \$465,068]

FIS 13-087 New Hampshire Veterans Home – Margaret LaBrecque, Commandant, New Hampshire Veterans Home presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator Morse, that the Committee approve the request of the New Hampshire Veterans Home to transfer \$90,000. MOTION ADOPTED.

RSA 9:16-c TRANSFER OF FEDERAL GRANT FUNDS:  
CONSENT CALENDAR

On a motion by Representative Eaton, seconded by Senator Larsen, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 13-099 Department of Education – transfer \$2,951,136]

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

On a motion by Representative Eaton, seconded by Senator Larsen, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 13-088 Department of Safety – authorization to amend FIS 09-342, originally approved October 20, 2009, and subsequently amended by FIS 10-267, September 21, 2010, and FIS 12-167, May 21, 2012, by reallocating \$159,677 in other ARRA funds through June 30, 2013, and further authorization to accept and expend an additional \$12,487 in other ARRA funds through June 30, 2013, FIS 13-089 Department of Safety – accept and expend \$532,223, FIS 13-100 Office of Energy and Planning – authorization to amend FIS 13-051, approved March 8, 2013, by reallocating \$45,000 in federal ARRA funds through September 30, 2013, FIS 13-101 Department of Resources and Economic Development – accept and expend \$211,500, FIS 13-108 Department of Transportation – authorization to amend FIS 13-046, approved February 1, 2013, by reallocating \$200,000 in federal funds through June 30, 2013]

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 RESTRICTED:  
CONSENT CALENDAR

At the request of Representative Leishman and Senator Sanborn, respectively, FIS 13-107 Department of Transportation and FIS 13-117 New Hampshire Insurance Department were removed from the consent calendar.

FIS 13-107 Department of Transportation – Michael Pillsbury, Deputy Commissioner, and Patrick McKenna, Director of Finance, Department of Transportation, presented the request and responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Representative Eaton, that the Committee approve the request of the Department of Transportation to amend FIS 12-214, approved June 18, 2012, by reallocating \$1,000,000 in other funds through June 30, 2013, and establish consultant positions through June 30, 2013. MOTION ADOPTED.

FIS 13-117 Insurance Department – Roger Sevigny, Commissioner, and Al Couture, Insurance Company Examiner, Insurance Department, presented the request and responded to questions of the Committee.

On a motion by Representative Weyler, seconded by Senator Sanborn, that the Committee table the request of the Insurance Department to 1) accept and expend \$339,153 in federal funds through June 30, 2013, and further authorization to 2) establish consultant positions through June 30, 2013. MOTION ADOPTED. (8-Yes, 2-No)

FIS 13-114 Department of Transportation – On a motion by Representative Eaton, seconded by Senator Morse, that the Committee approve the request of the Department of Transportation to 1) accept and expend \$1,053,500 in other funds through June 30, 2013, and 2) establish consultant positions through June 30, 2013. MOTION ADOPTED.

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

FIS 13-090 New Hampshire Fish and Game Department – On a motion by Representative Eaton, seconded by Representative Leishman, that the Committee approve the request of the New Hampshire Fish and Game Department to transfer \$94,377 from the NH Fish and Game Fund Reserve to the Fish and Game FY 2013 Operating Budget through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:14, II, LAWS OF 2011, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 13-109 Department of Health and Human Services – Nicholas Toumpas, Commissioner, Department of Health and Human Services, responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator Morse, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$1,569,378 in federal funds through June 30, 2013. MOTION ADOPTED.

FIS 13-110 Department of Health and Human Services – On a motion by Representative Eaton, seconded by Senator Larsen, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$98,576 in federal funds through June 30, 2013. MOTION ADOPTED.

FIS 13-115 Department of Health and Human Services – On a motion by Representative Eaton, seconded by Senator Larsen, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$350,000 in federal funds through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:85, I, LAWS OF 2011, DEPARTMENT OF ADMINISTRATIVE SERVICES;  
CONSOLIDATION OF CERTAIN BUSINESS PROCESSING FUNCTIONS:

FIS 13-112 Department of Administrative Services – On a motion by Representative Eaton, seconded by Senator Larsen, that the Committee approve the request of the Department of Administrative Services to transfer and reallocate \$290,861 for personnel from the Departments of; Transportation, Environmental Services, and the Liquor Commission to the Department of Administrative Services to establish a Shared Services Center for the consolidation of business processing within state government, through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:210, LAWS OF 2011, DEPARTMENT OF INFORMATION TECHNOLOGY;  
TRANSFERS AMONG ACCOUNTS:

FIS 13-102 Department of Information Technology – On a motion by Representative Eaton, seconded by Senator Larsen, that the Committee approve the request of the Department of Information Technology to transfer \$8,000 in other funds through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:213, LAWS OF 2011, DEPARTMENT OF JUSTICE; OUTSIDE COUNSEL:

FIS 13-091 Department of Justice – Ann Rice, Deputy Attorney General, Department of Justice, presented the request and responded to questions of the Committee.

On a motion by Representative Leishman, seconded by Representative Weyler, that the Committee table the request of the Department of Justice to retain outside counsel from an out-of-state law firm, the National Online Travel Litigation Group, to investigate and recover unpaid meals and rooms taxes from online travel companies.

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

Representative Wallner – No  
Representative Nordgren – No  
Representative Eaton – No  
Representative Leishman – Yes  
Representative Weyler – Yes  
Senator Morse – Yes  
Senator Odell – Yes  
Senator Forrester – Yes  
Senator Larsen – No  
Senator Sanborn – Yes

(6-Yes, 4-No) MOTION ADOPTED.

The Committee requested that the Department of Justice provide in writing where the recovered money would go.

CHAPTER 224:371, LAWS OF 2011, TRANSFER OF FUNDS:

FIS 13-111 Department of Administrative Services – Linda Hodgdon, Commissioner, Department of Administrative Services, presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator Larsen, that the Committee approve the request of the Department of Administrative Services to transfer \$708,389 in and among various accounting units through June 30, 2013. MOTION ADOPTED. (9-Yes, 1-No)

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Management Letter, Year Ended June 30, 2012 – Richard Mahoney, Director of Audits, Audit Division, Office of Legislative Budget Assistant, Greg Driscoll, KPMG Partner, Scott Warnetski, KPMG Senior Audit Manager, and Stephen Smith, Administrator, Bureau of Financial Reporting, Department of Administrative Services, presented the report and responded to questions of the Committee.

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

The Committee requested that the Department of Administrative Services report back on the Liquor Commission overpayment recovery status.

State of New Hampshire, Single Audit of Federal Financial Assistance Programs, For the Year Ended June 30, 2012 – Richard Mahoney, Director of Audits, Audit Division, Office of Legislative Budget Assistant, Jayme Silva, KPMG Partner, Karen Farrell, KPMG Senior Audit Manager, and Stephen Smith, Administrator, Bureau of Financial Reporting, Department of Administrative Services, presented the report and responded to questions of the Committee.

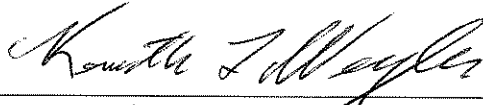
On a motion by Representative Weyler, seconded by Representative Eaton, that the report be accepted, placed on file and released in the usual manner. MOTION ADOPTED.

State of New Hampshire, Department of Safety, Division Of Motor Vehicles, Customer Service, Performance Audit Report, April 2013 – Richard Mahoney, Director of Audits, and Vilay DiCicco, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Rick Bailey, Director, Division of Motor Vehicles, Department of Safety, was present to respond to questions of the Committee.

On a motion by Representative Weyler, seconded by Representative Eaton, 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 will be Friday June 7, 2013 at 10:00 a.m. (Whereupon the meeting adjourned at 11:25 a.m.)



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Representative Ken Weyler, Clerk