

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
May 21, 2003

The Fiscal Committee of the General Court met on Wednesday, May 21, 2003 at 9:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Neal Kurk, Chairman
Representative Kenneth Weyler, Clerk
Representative Beverly Rodeschin
Representative Edwin Smith
Representative Mary Jane Wallner
Senator Thomas Eaton
Senator Richard Green, Vice Chairman
Senator Robert Clegg
Senator Bob Odell
Senator Lou D'Allesandro

Chairman Kurk opened the meeting at 9:12 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator Eaton, seconded by Representative Rodeschin, that the Committee approve the minutes of the April 16, 2003 meeting. MOTION ADOPTED.

OLD BUSINESS:

No actions were taken by the Committee.

NEW BUSINESS:

RSA 14:30-a, III - LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE AUDIT TOPICS:

FIS 03-100 Letter from Senator John Barnes, Jr., Chairman, Legislative Performance Audit and Oversight Committee - Senator Barnes was not available to address his letter since he was attending another public hearing. Catherine Provencher, Director of Audits, Office of Legislative Budget Assistant presented the recommended audit topics which were approved by the Performance Audit and Oversight Committee on April 18th, and responded to questions of the Committee.

On a motion by Senator Clegg, seconded by Representative Weyler, that the Committee approve the recommended audit topics as submitted. MOTION ADOPTED.

RSA 9:16-a TRANSFER AUTHORIZED - CONSENT CALENDAR:

Chairman Kurk wished to have request FIS 03-098 from the Department of Safety removed from the consent calendar.

RSA 9:16-a TRANSFER AUTHORIZED - CONSENT CALENDAR - (continued)

On a motion by Senator Eaton, seconded by Representative Weyler, that the Committee approve the remaining requests under this section on the agenda as submitted. MOTION ADOPTED. (FIS 03-078, FIS 03-083, FIS 03-090, FIS 03-091, FIS 03-093 and FIS 03-094)

FIS 03-098 Department of Safety - Tim Mason presented the request and responded to questions of the Committee.

On a motion by Senator Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Safety to transfer \$70,370.

On a motion by Representative Rodeschin, seconded by Senator Odell, that this request be tabled. MOTION ADOPTED.

RSA 21-P:23 HIGHWAY FUND SURPLUS:

FIS 03-077 Department of Safety - On a motion by Senator Green, seconded by Representative Rodeschin, that this request be tabled. MOTION ADOPTED.

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

FIS 03-081 Fish and Game Department - On a motion by Senator D'Allesandro, seconded by Representative Smith, that the Committee approve the request of the Fish and Game Department for authorization to transfer and expend \$53,000 from the Fish and Game Fund. MOTION ADOPTED.

FIS 03-082 Fish and Game Department - On a motion by Senator Eaton, seconded by Representative Smith, that the Committee approve the request of the Fish and Game Department for authorization to transfer and expend \$23,106 from the Fish and Game Fund. MOTION ADOPTED.

LATE ITEM:

FIS 03-102 Fish and Game Department - Daniel Lynch, Assistant Director presented the request and responded to questions of the Committee.

On a motion by Senator Green, seconded by Representative Smith, that the Committee approve the request of the Fish and Game Department to transfer and expend \$21,000 in excess OHRV fees. MOTION ADOPTED.

CHAPTER 130:1, LAWS OF 2001 - PAU 02-18-01, CLASS 90, 92 AND 94
FOOTNOTE:

FIS 03-096 Judicial Council - Nina Gardner, Executive Director presented the request and responded to questions of the Committee.

On a motion by Representative Smith, seconded by Representative Wallner, that the Committee approve the request of the Judicial
Fiscal Committee Minutes

May 21, 2003

CHAPTER 130:1, LAWS OF 2001 - PAU 02-18-01, CLASS 90, 92 AND 94
FOOTNOTE (continued):

Council for authorization of an additional \$500,000 in general funds in FY 2003 to cover a shortfall in assigned counsel, contract counsel and ancillary services. MOTION ADOPTED.

CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF
HEALTH AND HUMAN SERVICES:

FIS 03-089 Department of Health and Human Services, Division of
Elderly and Adult Services and FIS 03-097 Department of Health and
Human Services, New Hampshire Hospital - James Fredyma, Controller
requested that both of these items be withdrawn. Mr. Fredyma will
work with the Senate Finance Committee to include them in the 2004
budget.

CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF
HEALTH AND HUMAN SERVICES AND RSA 9:16-a TRANSFER AUTHORIZED:

FIS 03-092 Department of Health and Human Services, Division of
Family Assistance - James Fredyma presented the request and responded
to questions of the Committee.

On a motion by Senator Green, seconded by Representative Smith,
that the Committee approve the request of the Department of Health and
Human Services, Division of Family Assistance to accept and expend
\$3,127,299 in federal funds and transfer \$3,127,299. MOTION ADOPTED.

LATE ITEM:

FIS 03-101 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
Rodeschin, that the Committee approve the request of the Department of
Health and Human Services to accept and expend \$5,223,275.06 in
federal funds and transfer \$5,218,057. MOTION ADOPTED.

CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF
HEALTH AND HUMAN SERVICES AND RSA 124:15 POSITIONS RESTRICTED:

FIS 03-080 Department of Health and Human Services, Office of
Community & Public Health - Brook Dupee, Assistant Director presented
the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative
Wallner, that the Committee approve the request of the Department of
Health and Human Services, Office of Community & Public Health to
accept and expend \$10,228 in federal funds and establish a Health
Promotion Advisor position through June 30, 2003. MOTION ADOPTED.

CHAPTER 276:4, LAWS OF 2002 - DIRECTOR OF ADMINISTRATION; SALARY OF POSITION:

FIS 03-086 Department of Justice - Stephen Judge, Deputy Attorney General presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Clegg, that the Committee approve the request of the Department of Justice to establish an unclassified salary for the Director of Administration at GG (\$57,946-\$77,255), effective July 1, 2003, as submitted through the Department of Administrative Services and approved by the Hay Group. MOTION ADOPTED.

RSA 7:12 ASSISTANTS:

FIS 03-085 Department of Justice - Informational item for discussion purposes on process used under RSA 7:12 - Mr. Judge explained that the Department of Justice would continue with the budget to cover unanticipated but reasonably expectable litigation items, and then when a large individual case came before them, even though the Department might have enough money in their line to cover those litigation costs, it was so far beyond what the Department had anticipated, the Department would seek special approval for that particular item.

FIS 03-088 Department of Justice - Nancy Smith, Senior Assistant Attorney General presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Odell, that the Committee approve the request of the Department of Justice to expend a sum not to exceed \$253,100 in general funds for the purpose of entering into and continuing contracts for data extraction, analysis and integration, and expert assistance in connection with the litigation *Cassandra Hawkins et al v. Commissioner of the Department of Health and Human Services*. MOTION ADOPTED.

INFORMATIONAL ITEMS:

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire State Treasury Financial and Compliance Audit For the Year Ended June 30, 2002 - Catherine Provencher, Director of Audits, Office of Legislative Budget Assistant presented the audit and responded to questions of the Committee. Michael Ablowich, State Treasurer was also present to respond to questions.

On a motion by Representative Weyler, seconded by Senator D'Allesandro, that the State Treasury Financial and Compliance Audit for the Year Ended June 30, 2002 be accepted, placed on file and released in the usual manner. MOTION ADOPTED.

AUDITS (continued):

State of New Hampshire, Department of Health and Human Services, Medicaid Program Financial and Compliance Audit Report For the Year Ended June 30, 2002 - Catherine Provencher, Director of Audits, Office of Legislative Budget Assistant presented the audit and responded to questions of the Committee. James Fredyma, Controller, Department of Health and Human Services was also present to respond to questions.

On a motion by Representative Weyler, seconded by Senator Eaton, that the State of New Hampshire, Department of Health and Human Services, Medicaid Program Financial and Compliance Audit Report For the Year Ended June 30, 2002 be accepted, placed on file and released in the usual manner. MOTION ADOPTED.

LATE ITEM:

FIS 03-103 Department of Transportation - Douglas Scamman, Director of Administration presented the request and responded to questions of the Committee.

On a motion by Representative Smith, seconded by Senator Eaton, that the Committee approve the request of the Department of Transportation to transfer \$95,000 from the Highway Surplus Account. MOTION ADOPTED.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next meeting of the Fiscal Committee was set for Wednesday, June 18, 2003 at 9:00 a.m. in the Legislative Office Building, Room 210-211. (Future meeting dates were set for July 16, September 17 and October 15, with no meeting scheduled in August.

(Whereupon the Committee adjourned.)

Representative Kenneth Weyler, Clerk