

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
June 9, 2014

The Fiscal Committee of the General Court met on Monday, June 9, 2014 at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Mary Jane Wallner, Chair
Representative Ken Weyler, Clerk
Representative Cindy Rosenwald
Representative Peter Leishman
Representative Daniel Eaton
Senator Jeanie Forrester, Vice Chair
Senate President Chuck Morse
Senator David Boutin (Alternate)
Senator Lou D'Allesandro (Alternate)
Senator Andy Sanborn

Chairman Wallner opened the meeting at 10:12 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Eaton, seconded by Representative Rosenwald, that the minutes of the April 25, 2014, May 22, 2014, and May 28, 2014 meetings be accepted as written. MOTION ADOPTED. (9-Yes, 1-Abstain)

OLD BUSINESS:

FIS 13-081 Additional Information – request from the Members of the Joint Legislative Performance Audit and Oversight Committee, dated December 6, 2013, requesting that the proposed Police Standards and Training Council audit be removed from the table and voted on. (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.

RSA 9:16-a TRANSFERS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 14-086 Department of Revenue Administration – transfer \$160,000]

RSA 9:16-c. I. TRANSFER OF FEDERAL GRANT FUNDS:

CONSENT CALENDAR

On a motion by Representative Eaton, seconded by Senator D’Allesandro, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 14-101 Council on Developmental Disabilities – transfer \$500]

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

At the request of Representative Rosenwald, FIS 14-088 Department of Health and Human Services was removed from the Consent Calendar, and at the request of Senator Sanborn, FIS 14-087 Department of Environmental Services, FIS 14-103, FIS 14-104, and FIS 14-105 Department of Transportation were also removed.

On a motion by Representative Eaton, seconded by Senator D’Allesandro, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 14-080 Department of Information Technology – accept and expend \$700,000, FIS 14-081 Replacement Department of Resources and Economic Development – authorization to accept up to \$2,563,000 in federal grant funds to be assigned directly to Green Acres Woodlands, Inc. to pay the purchase price for acquisition of a 3,342 +/- acres Conservation Easement in the Towns of Groton, Hebron and Plymouth, known as the “Groton Hollow Forest Legacy Project”, and FIS 14-102 Department of Health and Human Services – accept and expend \$1,100,000]

FIS 14-087 Department of Environmental Services – Susan Carlson, Chief Operations Officer, Department of Environmental Services 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 budget and expend \$10,000,000 in prior year carry forward funds through June 30, 2015. MOTION ADOPTED.

FIS 14-088 Department of Health and Human Services – Nicholas Toumpas, Commissioner, and Stephen Mosher, Chief Financial Officer, Department of Health and Human Services 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 Health and Human Services to accept and expend \$5,005,000 in federal funds and \$5,000,000 in other funds, for a total of \$10,005,000 through June 30, 2014. MOTION ADOPTED.

On a motion by Representative Rosenwald, seconded by Representative Eaton, that the Committee approve the following requests as submitted. MOTION ADOPTED. [FIS 14-103 Department of Transportation – accept and expend \$2,950,000, and FIS 14-104 Department of Transportation – accept and expend \$5,200,000]

FIS 14-105 Department of Transportation – Patrick McKenna, Deputy Commissioner and Maureen Mullen, Director of Finance, Department of Transportation 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 Transportation to accept and expend \$6,030,440. MOTION ADOPTED.

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

On a motion by Representative Eaton, seconded by Senator Forrester, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 14-089 Department of Safety – authorization to 1) accept and expend \$149,080 in other funds through September 30, 2014, and further authorization to 2) establish temporary consultant positions through September 30, 2014]

RSA 124:15 POSITIONS RESTRICTED:

CONSENT CALENDAR

At the request of Senator Sanborn, FIS 14-097 Department of Administrative Services, was removed from the consent calendar.

FIS 14-097 Department of Administrative Services – Linda Hodgdon, Commissioner, and Kimberly France, Deputy Director of Personnel, Department of Administrative Services presented the request and responded to questions of the Committee.

On a motion by Representative Leishman, seconded by Representative Eaton, that the Committee approve the request of the Department of Administrative Services to establish two (2) part-time classified human resources positions through June 30, 2015. MOTION ADOPTED.

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

FIS 14-083 and Late Item FIS 14-114 New Hampshire Fish and Game Department – On a motion by Representative Eaton, seconded by Representative Rosenwald, that the Committee approve the requests of the New Hampshire Fish and Game Department to transfer \$70,000 from the NH Fish and Game Fund Reserve to the Fish and Game FY 2014 Operating Budget through

June 30, 2014 (FIS 14-083) and transfer \$20,000 from the NH Fish and Game Fund Reserve to the Fish and Game FY 2014 Operating Budget through June 30, 2014 (FIS 14-114). MOTION ADOPTED.

RSA 216-A:3-G, FEES FOR PARK SYSTEM:

FIS 14-096 Department of Resources and Economic Development – Jeffrey Rose, Commissioner, and John Devivo, General Manager, Franconia Notch State Park and Cannon Mountain, Department of Resources and Economic Development, 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 Resources and Economic Development for approval of rate changes to the primary summer 2014 and winter 2014/2015 products at Cannon Mountain Aerial Tramway and Ski Area in Franconia Notch State Park and further approval of the 2014/2015 Cannon Mountain Winter Special Use Policy. MOTION ADOPTED.

SENATE BILL 222, SECTION 74, ADJUTANT GENERAL’S DEPARTMENT; TRANSFERS AUTHORIZED:

FIS 14-085 The Adjutant General’s Department – On a motion by Representative Leishman, seconded by Representative Eaton, that the Committee approve the request of The Adjutant General’s Department for provisional authorization, contingent upon the passage of SB 222, Section 74, to transfer appropriated funds in the amounts of \$152,000 within Air Guard Maintenance and \$60,000 within Administration and Armories through June 30, 2014. MOTION ADOPTED.

CHAPTER 3:7, II, LAWS OF 2014, DEPARTMENT OF HEALTH AND HUMAN SERVICES; CONTRACTING; TRANSFER AMONG ACCOUNTS:

FIS 14-109 Department of Health and Human Services – Nicholas Toumpas, Commissioner, and Stephen Mosher, Chief Financial Officer, Department of Health and Human Services presented the request and responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Morse, that the Committee approve the request of the Department of Health and Human Services to transfer \$21,000,000 in general funds and \$21,021,000 in federal funds, for a total of \$42,021,000 through June 30, 2015. MOTION ADOPTED.

CHAPTER 3:7, II, LAWS OF 2014, DEPARTMENT OF HEALTH AND HUMAN SERVICES; CONTRACTING; TRANSFER AMONG ACCOUNTS, AND RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE:

FIS 14-110 Department of Health and Human Services – On a motion by Representative Eaton, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Health and Human Services to transfer \$139,362 in general funds and decrease related federal revenues by (\$121,658) and decrease related other revenues by (\$24,124) through June 30, 2014. MOTION ADOPTED.

FIS 14-111 Department of Health and Human Services – On a motion by Representative Eaton, seconded by Senator Forrester, that the Committee approve the request of the Department of Health and Human Services to transfer \$911,396 in general funds and decrease related federal revenues by (\$582,416) and decrease related other revenues by (\$228,463) through June 30, 2014. MOTION ADOPTED.

FIS 14-112 Department of Health and Human Services – On a motion by Representative Eaton, seconded by Senator Forrester, that the Committee approve the request of the Department of Health and Human Services to transfer \$15,256,776 in general funds and decrease related federal revenues by (\$420,716) and increase related other revenues by \$5,727,990 through June 30, 2014. MOTION ADOPTED.

CHAPTER 143:4, LAWS OF 2013, LOTTERY COMMISSION; AUTHORITY GRANTED:

FIS 14-082 New Hampshire Lottery Commission – On a motion by Representative Eaton, seconded by Representative Rosenwald, that the Committee approve the request of the New Hampshire Lottery Commission to purchase \$2,300,000 of instant gaming tickets and related services for the period of July 1, 2014 through June 30, 2015. MOTION ADOPTED.

CHAPTER 144:31, LAWS OF 2013, DEPARTMENT OF ADMINISTRATIVE SERVICES; TRANSFER AMONG ACCOUNTS AND CLASSES:

FIS 14-090 Department of Administrative Services – On a motion by Representative Leishman, seconded by Representative Eaton, that the Committee approve the request of the Department of Administrative Services to transfer \$767,293 within and among accounting units and create two (2) new expenditure classes through June 30, 2014. MOTION ADOPTED.

CHAPTER 144:56, LAWS OF 2013, DEPARTMENT OF CORRECTIONS; TRANSFERS:

FIS 14-091 Department of Corrections – On a motion by Representative Leishman, seconded by Representative Eaton, that the Committee approve the request of the Department of Corrections to transfer \$264,000 in general funds within and among accounting units through June 30, 2014. MOTION ADOPTED.

FIS 14-092 Department of Corrections – On a motion by Representative Leishman, seconded by Representative Eaton, that the Committee approve the request of the Department of Corrections to transfer \$3,172,164 in general funds within and among accounting units through June 30, 2014. MOTION ADOPTED.

CHAPTER 144:95, LAWS OF 2013, DEPARTMENT OF TRANSPORTATION; TRANSFER OF FUNDS:

FIS 14-093 Department of Transportation – Patrick McKenna, Deputy Commissioner, and Maureen Mullen, Director of Finance, Department of Transportation, 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 Transportation to transfer \$9,500 between Turnpike Fund accounting units and classes through June 30, 2014. MOTION ADOPTED.

FIS 14-098 Department of Transportation – Patrick McKenna, Deputy Commissioner, and Maureen Mullen, Director of Finance, Department of Transportation, 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 Transportation to 1) establish various non-budgeted classes in various accounting units and transfer \$2,016,355 through June 30, 2015, and 2) establish various non-budgeted classes in various accounting units and transfer \$1,679,299 through June 30, 2014. MOTION ADOPTED.

FIS 14-106 Department of Transportation – Patrick McKenna, Deputy Commissioner, and Maureen Mullen, Director of Finance, Department of Transportation, presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Rosenwald, that the Committee approve the request of the Department of Transportation to 1) transfer \$600 between mixed funding accounts and classes through June 30, 2014, and 2) establish various non-budgeted classes in various accounting units and transfer \$433,000 between mixed funding accounts and classes through June 30, 2015. MOTION ADOPTED.

CHAPTER 144:97, LAWS OF 2013, JUDICIAL BRANCH; TRANSFERS:

FIS 14-100 Administrative Office of the Courts – On a motion by Representative Leishman, seconded by Representative Eaton, that the Committee approve the request of the Administrative Office of the Courts to transfer \$670,170 in general funds through June 30, 2014. MOTION ADOPTED.

MISCELLANEOUS:

Office of Legislative Budget Assistant – Jeffrey Pattison, Legislative Budget Assistant, requested approval of the Committee to fill two positions; one (1) vacant audit manager position and requested the authority to move forward in finding a replacement for the Director of Audits in the Office of Legislative Budget Assistant, Audit Division.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Office of Legislative Budget Assistant, Audit Division, to fill two positions; one (1) vacant audit manager position and the authority to move forward in finding a replacement for the Director of Audits position. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

FIS 14-072 New Hampshire Lottery Commission – Chapter 144:15, Laws of 2013 – Charles McIntyre, Executive Director, New Hampshire Lottery Commission, responded to questions of the Committee regarding the Quarterly report on the status of the incentive employee recognition program for the sale of instant tickets for the quarter ending March 31, 2014.

FIS 14-107 Department of Health and Human Services – Nicholas Toumpas, Commissioner, Department of Health and Human Services, presented an update on April 2014 Operating Statistics Dashboard report for the fiscal year ending June 30, 2014.

The informational items were accepted and placed on file.

10:30 A.M.

AUDITS:

State of New Hampshire, Department of Resources and Economic Development, Division of Economic Development, Performance Audit Report, June 2014 – Richard Mahoney, Director of Audits, and Vilay Sihabouth, Senior Audit Manager, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Jeffrey Rose, Commissioner, and Carmen Lorentz, Director, Division of Economic Development, Department of Resources and Economic Development were present to respond to questions of the Committee.

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

State of New Hampshire, Department of Health and Human Services, Health Facility Licensing Unit, Performance Audit Report, June 2014 – Richard Mahoney, Director of Audits, and Jay Henry, Senior Audit Manager, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. John Martin, Manager, Bureau of Licensing and Certification, Department of Health and Human Services was present to respond to questions of the Committee.

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

State of New Hampshire, Compliance with Certain Sections of RSA 9 Related To The Use Of Highway Funds, June 2014 – Richard Mahoney, Director of Audits, and Jean Mitchell, Senior Audit Manager, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee.

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

DATE OF NEXT MEETING AND ADJOURNMENT

The next regular meeting of the Fiscal Committee was set for Friday, July 25, 2014 at 10:00 a.m.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the meeting adjourn. (Whereupon the meeting adjourned at 12:13 p.m.)



Representative Ken Weyler, Clerk