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State of New Hampshire
OFFICE OF LEGISLATIVE BUDGET ASSISTANT
State House, Room 102
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RICHARD J. MAHONEY, CPA
Director, Audit Division
(603) 271-2785

October 15, 2013

To the Members of the Capital Budget
Overview Committee

The Capital Budget Overview Committee, as established by RSA 17-J, of which you are a member, will hold a regular business meeting on Tuesday, October 22, 2013, at 10:00 a.m. in Room 201 of the Legislative Office Building.

Please find attached information to be discussed at this meeting.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey A. Pattison".

Jeffrey A. Pattison
Legislative Budget Assistant

JAP/pe
Attachments

CAPITAL BUDGET OVERVIEW COMMITTEE
AGENDA

Tuesday, October 22, 2013 at 10:00 a.m. in Room 201 of the Legislative Office Building

(1) **Acceptance of Minutes** of the September 24, 2013 meeting

(2) **Old Business:**

CAP 13-039 Additional Information Department of Transportation – letter of commitment, dated September 24, 2013, to allow horseback riding on the Hampton Branch Rail Trail once the project has been completed, as requested by the Committee for the conditional approval of CAP 13-039 granted September 24, 2013

(3) **New Business:**

RSA 228:12-a Use of Toll Credits:

CAP 13-042 Department of Transportation – request approval to use up to \$17,500 of Turnpike Toll Credit, based on estimated cost of \$175,000 Federal Highway funds, with New Hampshire share being \$87,500, to meet funding match requirements for; the NH State Historical Preservation Office (SHPO) to prepare a nomination to the National Register of Historic Places for the Downtown Portsmouth Historic District, part of the agreed upon mitigation for the replacement of the Memorial Bridge between Portsmouth, NH and Kittery, ME, subject to the conditions as specified in the request dated October 3, 2013

(4) **Miscellaneous:**

(5) **Informational:**

CAP 13-043 Department of Administrative Services – RSA 17-J:4 – Administrative Services Public Works Design and Construction’s Capital Budget Projects Schedule FY 2014-2015

(6) **Date of Next Meeting and Adjournment:**

CAPITAL BUDGET OVERVIEW COMMITTEE

MINUTES

September 24, 2013

The Capital Budget Overview Committee met on Tuesday, September 24, 2013 at 10:30 a.m. in Room 201 of the Legislative Office Building.

The following members were in attendance:

Representative David Campbell, Chairman
Representative John Cloutier, Clerk
Representative Bernard Benn
Representative Daniel Eaton
Representative John Graham
Representative Ken Weyler
Senator David Boutin, Vice Chairman
Senator Sylvia Larsen
Senator Nancy Stiles

Representative Campbell called the meeting to order at 10:32 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Graham, seconded by Senator Boutin, that the minutes of the June 25, 2013 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

NEW BUSINESS:

RSA 110-B:28, IV (A), NATIONAL GUARD FACILITIES:

CAP 13-037 The Adjutant General's Department – Stephanie Milender, Business Administrator, The Adjutant General's Department, presented a handout, the request and responded to questions of the Committee. Lieutenant Colonel David Mikolaities, Engineer Planner for the New Hampshire Army National Guard, was also present to respond to questions of the Committee.

On a motion by Senator Boutin, seconded by Representative Eaton, that the Committee approve the request of The Adjutant General's Department to contract with the Federal Government for Portsmouth Readiness Center modifications/alternations in an amount not to exceed \$1,600,000 in federal funds, as specified in the request dated September 6, 2013. MOTION ADOPTED.

RSA 228:12-a USE OF TOLL CREDITS:

CAP 13-039 Department of Transportation – Patrick Herlihy, Director, Division of Aeronautics, Rail and Transit, Department of Transportation, presented the request and responded to questions of the Committee.

On a motion by Senator Stiles, seconded by Senator Boutin, that the Committee **conditionally** approve the request of the Department of Transportation, to use up to \$1,000,000 of Turnpike Toll Credit, based on estimated costs not to exceed \$5,000,000 in federal funds, for the Hampton Branch Acquisition and Trail Development of the 9.7 mile rail corridor beginning at a point north of Drakeside Road in Hampton northerly through the towns/city of Hampton, North Hampton, Rye, and Portsmouth to a point just south of the NH Route 1 Bypass in Portsmouth, subject to the conditions as specified in the request dated September 24, 2013, **upon Committee receipt of a letter, in as timely a manner as possible, from the Department of Transportation stating that the Department has no intention of prohibiting horseback riding on this trail.** MOTION ADOPTED.

CHAPTER 143, LAWS OF 2011, BUDGET LAW 04-96-96-90515-3005-0300:

CAP 13-040 Department of Transportation – William Janelle, Director of Operations, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Senator Boutin, seconded by Representative Eaton, that the Committee approve the request of the Department of Transportation of the Department's Equipment Acquisition Plan for Fiscal Year 2014 and 2015, as specified in the request dated September 13, 2013. MOTION ADOPTED.

As requested for the record, the Committee approved the total amount in the plan, not the actual breakdown.

CHAPTER 351:5, LAWS OF 1991, AS AMENDED BY CHAPTER 2, LAWS OF 2013, APPROPRIATION, PORT AUTHORITY:

CAP 10-038 Pease Development Authority, Division of Ports and Harbors – Geno Marconi, Director, Division of Ports and Harbors, Pease Development Authority, presented the request and responded to questions of the Committee.

The Committee requested a report on how much revenue is generated from this pier.

The Committee temporarily recessed the item to allow Michael Kane, Deputy Legislative Budget Assistant, to review the statute and determine if the requested action was authorized.

INFORMATIONAL LATE ITEM:

CAP 13-041 Department of Corrections, jointly with the Department of Administrative Services – Michael Connor, Deputy Commissioner, Department of Administrative Services, and William McGonagle, Assistant Commissioner, Department of Corrections, presented two (2) handouts and a report on the new Women’s Prison Facility in Concord, N.H.

It was determined by the Office of Legislative Budget Assistant that this request as submitted, dated August 27, 2013, to utilize the construction management method to construct the new Women’s Prison Facility in Concord, N.H. for a total not to exceed \$38,000,000 in capital general funds, including cost for construction, commissioning, arts, construction administration, and approximately \$150,000 for Public Works Design and Construction fees did not require Capital Budget Overview Committee approval and should be submitted as an informational item. The RSA requires the Department to seek Committee approval of the plans.

The informational items were accepted and placed on file.

DATE OF NEXT MEETING:

The next regular meeting of the Capital Budget Overview Committee was set for Tuesday, October 22, 2013 at 10:00 a.m.

At the request of the Chair, the Committee recessed at 11:36 a.m. and reconvened at 11:37 a.m.

CHAPTER 351:5, LAWS OF 1991, AS AMENDED BY CHAPTER 2, LAWS OF 2013, APPROPRIATION, PORT AUTHORITY:

CAP 10-038 Pease Development Authority, Division of Ports and Harbors – Michael Kane, Deputy Legislative Budget Assistant, Office of Legislative Budget Assistant, reported that in reviewing the statute the Division of Ports and Harbors was authorized to expend the requested funds for the requested project.

On a motion by Senator Boutin, seconded by Senator Stiles, that the Committee approve the request of the Pease Development Authority, Division of Ports and Harbors, to expend funds not to exceed \$599,300 from the Port Expansion Fund for the replacement of the “South Access Bridge” at the Market Street Marine Terminal, subject to the conditions as specified in the request dated September 9, 2013. MOTION ADOPTED. (9-Yes, 1-No)

ADJOURNMENT:

The Committee adjourned at 11:39 a.m.



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

CAP 13-039

Additional Information



CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

September 24, 2013

The Honorable David Campbell, Chairman
Capital Budget Overview Committee
State House
Concord, NH 03301

RE: Hampton Branch Railroad Corridor

Dear Chairman Campbell and Honorable Members of the Committee:

This letter serves as the Department of Transportation's commitment to allow horseback riding on the Hampton Branch Rail Trail once the project has been completed. We have consulted with the Department of Resources and Economic Development (DRED) and they are in agreement that even if we were to follow their proposed rules (Res 7301.09), if implemented, horseback riding will still be allowed in this corridor.

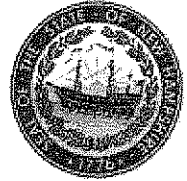
Once purchased, it is the Department's intent to retain ownership of the corridor and to enter into agreements with the relevant municipalities for the management and maintenance of the trail as required by funding source used for the acquisition. These municipal agreements will be in place prior to the construction of the trail.

Sincerely,

Christopher D. Clement, Sr.
Commissioner



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

October 3, 2013

The Honorable David Campbell, Chairman
 Capital Budget Overview Committee
 State House
 Concord, NH 03301

Re: Request for Approval of the Department of Transportation, Toll Credit Match

Dear Chairman Chandler and Honorable Members of the Committee:

Requested Action

Pursuant to the provisions of RSA Chapter 228:12-a, Use of Toll Credits, the Department requests that the Capital Budget Overview Committee approve the Department of Transportation's use of Toll Credits to meet funding match requirements for the NH State Historical Preservation Office (SHPO) to prepare a nomination to the National Register of Historic Places for the Downtown Portsmouth Historic District. This work is part of the agreed upon mitigation for the replacement of the Memorial Bridge between Portsmouth, NH and Kittery, ME. The project costs for this effort, as with the overall project, are being shared equally with the Maine DOT. The estimated cost is \$175,000 Federal Highway funds with New Hampshire share being \$87,500 and a Turnpike Toll Credit amount needed of \$17,500.

Explanation

This request is associated with the project to replace the Memorial Bridge. As part of the environmental review and approval process for the project, it was agreed that the mitigation under the National Historic Preservation Act for removing the historic Memorial Bridge, would involve the NHDOT providing \$175,000 of project funds to the SHPO for them to compile and prepare a nomination to the National Register of Historic Places for the Portsmouth Downtown Historic District. The details of the project mitigation and the commitment to provide this funding is documented in the Project Memorandum of Agreement, dated March 15, 2011 (attached). A separate Memorandum of Understanding with SHPO relative to the transfer of these funds is being brought forward to Governor and Council.

I appreciate your support and understanding of these needs.

Sincerely,

Christopher D. Clement, Sr.
 Commissioner

Enclosure

