

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES  
June 17, 2011

The Fiscal Committee of the General Court met on Friday, June 17, 2011 at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Ken Weyler, Chairman  
Representative Beverly Rodeschin  
Representative John Reagan (Alternate)  
Representative Stephen Stepanek  
Representative Alfred Lerandeau (Alternate)  
Senator Chuck Morse  
Senator Bob Odell  
Senate President Peter Bragdon  
Senator Sylvia Larsen  
Senator John Gallus

Chairman Weyler opened the meeting at 10:11 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Rodeschin, seconded by Representative Lerandeau, that the minutes of the May 2, 2011 be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

Office of Legislative Budget Assistant – Administrative Procedures. Tabled 12/29/10.  
No Action Taken.

FIS 11-135 Department of Resources and Economic Development – On a motion by Senator Morse, seconded by Representative Reagan, that the item be removed from the table. MOTION ADOPTED.

George Bald, Commissioner, and John DeVivo, General Manager, Franconia Notch State Park and Cannon Mountain Ski Area, Department of Resources and Economic Development responded to questions of the Committee.

On a motion by Senator Morse, seconded by Representative Reagan, that the Committee approve the request of the Department of Resources and Economic Development for approval of rate changes for Cannon Mountain Aerial Tramway and the Flume Gorge (summer 2011) and the primary winter 2011/2012 products for Cannon Mountain Aerial Tramway and Ski Area and further approval of the 2011/2012 Cannon Mountain Winter Special Use Policy. No Action Taken.

On a motion by Representative Stepanek, seconded by Senator Morse, that the Committee **amend** the request of the Department of Resources and Economic Development, Division of Parks and Recreation for rate changes for Cannon Mountain Aerial Tramway and the Flume Gorge, summer 2011, and the primary winter 2011/12 products for Cannon Mountain Aerial Tramway and Ski Area, **amended to freeze the rates for; Military 1-Day Lift Ticket at \$53.00, Adult Military Non-N.H. Resident Season Pass at \$364.50, Adult Military N.H. Resident Season Pass at \$273.00, Senior Military Non-N.H. Resident Season Pass at \$214.50 and Senior Military N.H. Resident Season Pass at \$164.50**, and further approve the 2011/12 Cannon Mountain Winter Special Use Policy. MOTION ADOPTED. (5-Yes, 4-No)

On a motion by Senator Morse, seconded by Representative Lerandeau, that the Committee approve the request **as amended** of the Department of Resources and Economic Development, Division of Parks and Recreation for rate changes for Cannon Mountain Aerial Tramway and the Flume Gorge, summer 2011, and the primary winter 2011/12 products for Cannon Mountain Aerial Tramway and Ski Area, **amended to freeze the rates for; Military 1-Day Lift Ticket at \$53.00, Adult Military Non-N.H. Resident Season Pass at \$364.50, Adult Military N.H. Resident Season Pass at \$273.00, Senior Military Non-N.H. Resident Season Pass at \$214.50 and Senior Military N.H. Resident Season Pass at \$164.50**, and further approve the 2011/12 Cannon Mountain Winter Special Use Policy. MOTION ADOPTED.

NEW BUSINESS:

RSA 14:30-a, III AUDIT TOPIC RECOMMENDATION BY LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE:

FIS 11-185 Letter from Senator Peter Bragdon, Chairman of the Legislative Performance Audit and Oversight Committee relative to the recommendation of the following performance audit topics – On a motion by Representative Stepanek, seconded by Representative Lerandeau, that the Committee approve the request of the Legislative Performance Audit and Oversight Committee to amend the scope of the New Hampshire Public Utilities Commission audit (FIS 10-229, approved July 20, 2010) to include the Office of Consumer Advocate and the Energy Efficiency and Sustainable Energy Board; and perform an audit of the Guardian Ad Litem Board. MOTION ADOPTED.

RSA 9:16-a, TRANSFERS AUTHORIZED:

**CONSENT CALENDAR**

On a motion by Senator Bragdon, seconded by Representative Reagan, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 11-158 Department of Corrections – transfer \$125,000, FIS 11-159 Department of Safety – transfer \$25,700, FIS 11-166 Board of Medicine – transfer \$3,000, FIS 11-167 Department of Safety – transfer \$10,000, FIS 11-168 Department of Transportation – transfer \$185,460]

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$50,000 FROM ANY NON-STATE SOURCE:

**CONSENT CALENDAR**

FIS 11-160 Department of Transportation was removed from the Consent Calendar.

On a motion by Senator Bragdon, seconded by Representative Reagan, that the Committee approve the remaining requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 11-181 Department of Safety – accept and expend \$30,000, FIS 11-184 Department of Resources and Economic Development – authorization to amend FIS 10-207, approved July 20, 2010, by extending the end date from June 30, 2011 to December 1, 2011, with no increase in funding, and to further reallocate \$15,760 in federal and other funds]

FIS 11-160 Department of Transportation – Patrick McKenna, Director of Finance, Department of Transportation, presented the request and responded to questions of the Committee. Wesley Colby, Director of Administration, Department of Safety was also present to respond to questions.

On a motion by Senator Odell, seconded by Senator Larsen, that the Committee approve the request of the Department of Transportation to accept and expend \$150,000. MOTION ADOPTED. (7-Yes, 2-No)

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$50,000 FROM ANY NON-STATE SOURCE:

**ARRA FUNDS CONSENT CALENDAR**

On a motion by Senator Bragdon, seconded by Representative Lerandeau, that the Committee approve the request on the agenda under this section as submitted. MOTION ADOPTED. [FIS 11-153 Department of Resources and Economic Development – accept and expend \$153,743 in other funds (federal ARRA pass-through from the University of New Hampshire) from July 1, 2011 through June 30, 2013]

CHAPTER 4:5, LAWS OF 2010, DEPARTMENT BUDGETS; TRANSFERS OF FEDERAL FUNDS:

**CONSENT CALENDAR**

On a motion by Senator Bragdon, seconded by Representative Lerandeau, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 11-161 Department of Education – transfer \$34,600 in federal funds through June 30, 2011, FIS 11-176 Department of Environmental Services – transfer \$16,021 in federal funds through June 30, 2011]

RSA 12-G:42, XI, PEASE DEVELOPMENT AUTHORITY, ADOPTION OF RULES:

FIS 11-182 (Replacement) Pease Development Authority – On a motion by Senator Bragdon, seconded by Senator Larsen, that the Committee approve the request of the Pease Development Authority, Division of Ports and Harbors, of the proposed “Schedule of Pilotage Fees and Pilotage Unit Rates, Portsmouth Harbor and Piscataqua River.” MOTION ADOPTED. (7-Yes, 2-No)

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:

ARRA FUNDS

FIS 11-177 Department of Safety – Wesley Colby, Director of Administration, Department of Safety responded to question of the Committee.

On a motion by Senator Bragdon, seconded by Senator Odell, that the Committee approve the request of the Department of Safety to accept and expend \$350,691 in other funds (federal ARRA pass-through from the University of New Hampshire) through June 30, 2013, and establish two (2) full-time temporary Microwave Technician positions through June 30, 2013. 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 AND RSA 228:12 TRANSFERS FROM HIGHWAY SURPLUS ACCOUNT:

ARRA FUNDS

FIS 11-183 Department of Transportation – On a motion by Senator Bragdon, seconded by Senator Larsen, that the Committee approve the request of the Department of Transportation to accept and expend \$5,510,875 in other funds (federal ARRA pass-through from the University System of New Hampshire) through June 30, 2013, and transfer \$630,000 in Highway Surplus funds through June 30, 2011. MOTION ADOPTED.

RSA 21-I:19-i, VII, FLEET EFFICIENCY AND REDISTRIBUTION:

FIS 11-162 Department of Administrative Services – Linda Hodgdon, Commissioner, and Kevin Connor, Administrator, Bureau of Fixed and Mobile Asset, Department of Administrative Services presented the request and responded to questions of the Committee. Paul Kelley, Director, Racing and Charitable Gaming Commission was also present to address the Committee and respond to questions.

On a motion by Senator Bragdon, seconded by Senator Larson, that the Committee approve the request of the Department of Administrative Services of its recommended fleet reduction of one (1) vehicle for the Racing and Charitable Gaming Commission. No Action Taken.

On a motion by Senator Odell, and seconded, that the Committee table the request of the Department of Administrative Services of its recommended fleet reduction of one (1) vehicle for the Racing and Charitable Gaming Commission. MOTION ADOPTED. (6-Yes, 3-No)

RSA 200-J:3, V, REPAYMENT REQUIREMENT:

FIS 11-169 Postsecondary Education Commission – On a motion by Senator Bragdon, seconded by Representative Lerandeau, that the Committee approve the request of the Postsecondary Education Commission to extend the repayment of the individual account of Stephanie Tornberg through October 31, 2017. MOTION ADOPTED.

RSA 604-A:1-b ADDITIONAL FUNDING:

FIS 11-163 Judicial Council – Nina Gardner, Executive Director, Judicial Council responded to questions of the Committee.

On a motion by Senator Bragdon, seconded by Senator Larsen, that the Committee approve the request of the Judicial Council to receive \$100,000 in additional General Funds from funds not otherwise appropriated through June 30, 2011. MOTION ADOPTED.

CHAPTER 87:3, LAWS OF 2008, AS AMENDED BY CHAPTER 144:261, LAWS OF 2009, DISASTER RELIEF PAYMENTS TO LOCAL COMMUNITIES; APRIL 2007 DISASTER ASSISTANCE:

FIS 11-154 Department of Safety – On a motion by Senator Bragdon, seconded by Representative Reagan that the Committee approve the request of the Department of Safety to expend \$13,859.74 in State Matching Funds for Federal Emergency Management Agency Public Assistance Grants to the Town of Brentwood for the April 2007 Nor'Easter. MOTION ADOPTED.

CHAPTER 144:39, II, LAWS OF 2009, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

ARRA FUNDS

FIS 11-171 Department of Health and Human Services – On a motion by Senator Bragdon, seconded by Representative Stepanek, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$323,774.45 in other funds and accept and expend \$2,472,621 in federal ARRA funds and decrease revenue adjustments to general funds in the amount of \$1,273,774.45 and decrease federal funds in the amount of \$1,522,621 effective retroactive to July 1, 2010 through September 30, 2010. MOTION ADOPTED.

CHAPTER 144:39, II AND III, LAWS OF 2009, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS AS AMENDED BY CHAPTER 1:6, LAWS OF 2010 SPECIAL SESSION, DEPARTMENT OF HEALTH AND HUMAN SERVICES; TRANSFER AMONG ACCOUNTS:

FIS 11-172 Department of Health and Human Services – On a motion by Senator Bragdon, seconded by Representative Reagan, that the Committee approve the request of the Department of Health and Human Services to transfer \$316,091 in general funds and increase related revenue adjustments of \$10,390 in federal funds and decrease revenue adjustments of \$1,097 in other funds through June 30, 2011. MOTION ADOPTED.

FIS 11-173 Department of Health and Human Services – On a motion by Senator Bragdon, seconded by Representative Lerandean, that the Committee approve the request of the Department of Health and Human Services to transfer \$777,532 in general funds and decrease related revenue adjustments of \$72,796 in federal funds and decrease revenue adjustments of \$742,066 in other funds through June 30, 2011. MOTION ADOPTED.

FIS 11-174 Department of Health and Human Services – On a motion by Senator Bragdon, seconded by Representative Reagan, that the Committee approve the request of the Department of Health and Human Services to transfer \$490,887 in general funds and increase related revenue adjustments of \$45,631 in federal funds and increase revenue adjustments of \$44,280 in other funds through June 30, 2011. MOTION ADOPTED.

CHAPTER 334:1, LAWS OF 2007, AS AMENDED BY CHAPTER 87:2, LAWS OF 2008, AS AMENDED BY CHAPTER 144:260, LAWS OF 2009, DISASTER RELIEF PAYMENTS TO LOCAL COMMUNITIES; MAY 2006 DISASTER ASSISTANCE:

FIS 11-170 Department of Safety – On a motion by Senator Bragdon, seconded by Representative Reagan, that the Committee approve the request of the Department of Safety to expend \$103,223.73 in State Matching Funds for Federal Emergency Management Agency Public Assistance Grants to the Town of Durham for the May 2006 Floods. MOTION ADOPTED.

LATE ITEMS:

FIS 11-186, FIS 11-187, FIS 11-188, FIS 11-189 Department of Safety – On a motion by Representative Reagan, seconded by Senator Bragdon, that the Committee approve jointly the requests of the Department of Safety. MOTION ADOPTED. [FIS 11-186 Department of Safety – authorization to amend FIS 11-083, approved March 25, 2011, by extending the end date from June 30, 2011 to September 30, 2011, with no increase in funding, FIS 11-187 Department of Safety – authorization to amend FIS 11-118, approved May 2, 2011, by extending the end date from June 30, 2011 to September 30, 2011, with no increase in funding, FIS 11-188 Department of Safety – authorization to amend FIS 11-041, approved February 18, 2011, by extending the end date from June 30, 2011 to September 30, 2012, with no increase in funding, FIS 11-189 Department of Safety – authorization to amend FIS 11-056, approved February 18, 2011, by extending the end date from June 30, 2011 to September 15, 2011, with no increase in funding]

FIS 11-190 Department of Resources and Economic Development – On a motion by Senator Larsen, seconded by Representative Stepanek, that the Committee approve the request of the Department of Resources and Economic Development to accept and expend \$13,168,350 in federal State Small business Credit Initiative (SSBCI) funds through June 30, 2013. MOTION ADOPTED.

FIS 11-191 Department of Health and Human Services – Nicholas Toumpas, Commissioner, and Jonathan McCosh, Business Administrator, Bureau of Elderly and Adult Services, Department of Health and Human Services presented the request and responded to questions of the Committee.

On a motion by Representative Reagan, seconded by Senator Bragdon, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$15,070,684.61 in federal funds, \$696,932.58 in federal ARRA funds and \$4,367,984.42 in other funds through June 30, 2011. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Department of Administrative Services, Employee and Retiree Health Benefit Program, Performance Audit Report, June 2011 – Richard Mahoney, Director of Audits, and John Clinch, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Also present to respond to questions of the Committee were Linda Hodgdon, Commissioner, and Monica Ciolfi, Administrator, Risk Management Unit, Department of Administrative Services.

On a motion by Representative Reagan, seconded by Senator Larsen, 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 was set for Friday, July 15, 2011 at 10:00 a.m. (Whereupon the meeting adjourned.)

---

Representative Beverly Rodeschin, Clerk