

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

September 14, 2012

The Fiscal Committee of the General Court met on Friday, September 14, 2012 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 Daniel McGuire  
Representative Stephen Stepanek  
Representative Robert Foose  
Senator Chuck Morse  
Senator Bob Odell  
Senator Jeanne Forrester (Alternate)  
Senator Sylvia Larsen  
Senator David Boutin (Alternate)

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

ACCEPTANCE OF MINUTES:

On a motion by Representative Stepanek, seconded by Senator Morse, that the minutes of the July 23, 2012 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

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

FIS 11-322 House of Representatives – request on behalf of the House Speaker that the Office of Legislative Budget Assistant conduct a complete financial audit of the New Hampshire Disaster Relief Fund (“NHDRF”) from inception to the present and a complete report on how NHDRF operated itself, determined distributions and followed-up on distributions. Tabled 10/28/11. No Action Taken.

FIS 12-227 Administrative Office of the Courts – authorization for the governor and council to make three (3) judicial appointments to the new circuit court to fill three (3) positions that will become vacant due to the completion of the terms of three (3) marital masters. Tabled 06/18/12. No Action Taken.

FIS 12-228 Administrative Office of the Courts – authorization for \$1,696,658 of additional funding from state general funds not otherwise appropriated for the fiscal year ending June 30, 2013. The Committee approved \$500,000 of additional funding for the Jury Management System and the remaining \$1,196,658 requested for the NH e-court project was Tabled 06/18/12. No Action Taken.

FIS 12-240 Additional Information Department of Safety – request to withdraw the previously tabled request; FIS 12-240 Department of Safety – to 1) accept and expend \$538,953 in federal funds through June 30, 2013 and contingent upon approval of #1, authorization to 2) establish one (1) temporary full-time Business Systems Analyst I position through June 30, 2013. Tabled 07/23/12

On a motion by Representative McGuire, seconded by Representative Stepanek, that the item be removed from the table. MOTION ADOPTED.

On a motion by Representative Foose, seconded by Representative Stepanek, that the Committee approve the request of the Department of Safety to withdraw the previously tabled request; FIS 12-240 Department of Safety – to 1) accept and expend \$538,953 in federal funds through June 30, 2013 and contingent upon approval of #1, authorization to 2) establish one (1) temporary full-time Business Systems Analyst I position through June 30, 2013. MOTION ADOPTED.

FIS 12-242 Additional Information Department of Transportation – letter dated August 20, 2012, to further clarify the need for the Department of Transportation request FIS 12-242 – to transfer \$168,780 in highway surplus funds through June 30, 2013. Tabled 07/23/12

On a motion by Senator Morse, seconded by Senator Boutin, that the item be removed from the table. MOTION ADOPTED.

Jeff Brillhart, Assistant Commissioner, and William Janelle, Director of Operations, Department of Transportation presented additional information and responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Senator Forrester, that the Committee approve the request of the Department of Transportation to transfer \$168,780 in highway surplus funds through June 30, 2013. MOTION ADOPTED.

FIS 12-250 Additional Information Department of Resources and Economic Development – letter dated August 31, 2012, pertaining to FIS 12-250 Department of Resources and Economic Development – request to accept and expend \$2,260,000. Tabled 07/23/12

On a motion by Representative Stepanek, seconded by Senator Boutin, that the item be removed from the table. MOTION ADOPTED. (9-Yes, 1-No)

George Bald, Commissioner, and Brad Simpkins, Director, Division of Forest and Lands, Department of Resources and Economic Development presented additional information and responded to questions of the Committee. Donald Shumway, President and CEO, Crotchet Mountain Rehabilitation Center, was also present to respond to questions of the Committee.

On a motion by Senator Odell, seconded by Senator Forrester, that the Committee approve the request of the Department of Resources and Economic Development to accept and expend \$2,260,000. MOTION ADOPTED. (9-Yes, 1-No)

NEW BUSINESS:

RSA 9:16-a, TRANSFERS AUTHORIZED:

**CONSENT CALENDAR**

On a motion by Representative Foose, seconded by Senator Morse, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 12-271 The Adjutant General's Department – transfer \$2,602,600]

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**

At the request of Representative Stepanek FIS 12-283 Department of Education and FIS 12-294 Department of Safety were removed from the Consent Calendar.

On a motion by Senator Morse, seconded by Representative Stepanek, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 12-284 Department of Justice – authorization to amend FIS 11-195, approved July 15, 2011, by extending the end date from September 30, 2012 to June 30, 2013, with no increase in funding, FIS 12-285 Department of Justice – authorization to amend FIS 12-114, approved April 13, 2012, by extending the end date from September 30, 2012 to June 30, 2013, with no increase in funding, FIS 12-296 Department of Education – authorization to amend FIS 10-004, approved January 8, 2010, and subsequently amended by FIS 12-068, approved February 17, 2012, to reallocate \$361 in federal ARRA funds and to retroactively extend the end date from June 30, 2012 through January 31, 2013, FIS 12-299 Department of Resources and Economic Development – authorization to amend FIS 11-222, approved September 23, 2011, by retroactively extending the end date from July 31, 2012 to June 30, 2013, and to budget and expend \$60,092 in carry forward federal grant funds]

FIS 12-283 Department of Education – Paul Leather, Deputy Commissioner, Department of Education responded to questions of the Committee.

On a motion by Representative Stepanek, seconded by Representative McGuire, that the Committee approve the request of the Department of Education to amend FIS 10-237, approved July 20, 2010, to reallocate \$4,552 in federal ARRA funds and retroactively extend the end date from June 30, 2012 to June 30, 2013. MOTION ADOPTED.

FIS 12-294 Department of Safety – Richard Bailey, Jr. Director of Motor Vehicles, Department of Safety, presented the request and responded to questions of the Committee.

On a motion by Representative Stepanek, seconded by Senator Boutin, that the Committee approve the request of the Department of Safety to accept and expend \$146,306. MOTION ADOPTED.

RSA 124:15 POSITIONS RESTRICTED :

CONSENT CALENDAR

At the request of Representative Stepanek FIS 12-302 Department of Justice was removed from the Consent Calendar.

FIS 12-302 Department of Justice – Ann Rice, Deputy Attorney General, and Rosemary Faretra, Director of Administration, Department of Justice, presented the request and responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Representative Foose, that the Committee approve the request of the Department of Justice to retroactively amend FIS 11-111, approved March 25, 2011, by extending a part-time temporary Program Specialist IV position from April 30, 2012 to June 30, 2013. MOTION ADOPTED.

RSA 12-L:14, I, MCAULIFFE-SHEPARD DISCOVERY CENTER BOARD:

FIS 12-273 McAuliffe-Shepard Discovery Center – On a motion by Senator Larsen, seconded by Senator Boutin, that the Committee approve the request of the McAuliffe-Shepard Discovery Center for approval for the number of, the means of selections for, the length of terms, and the initial selection of the board members of the McAuliffe-Shepard Discovery Center Corporation. 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 124:15 POSITIONS RESTRICTED :

FIS 12-272 Department of Safety – Richard Bailey, Jr., Director of Motor Vehicles, Department of Safety presented the request and responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Representative Foose, that the Committee approve the request of the Department of Safety to accept and expend \$465,212 in federal funds through June 30, 2013, and contract for consultant services through June 30, 2013. MOTION ADOPTED.

FIS 12-287 Department of Justice – On a motion by Senator Larsen, seconded by Senator Morse, that the Committee approve the request of the Department of Justice to amend FIS 11-197, approved July 15, 2011, by extending the end date from October 31, 2012 to June 30, 2013, reallocate \$51,630 in federal funds through June 30, 2013, and continue one (1) full-time temporary Program Specialist II position and contract for consultant experts in trauma-informed grief counseling through June 30, 2013. MOTION ADOPTED.

FIS 12-295 Department of Justice – On a motion by Representative Foose, seconded by Senator Larsen, that the Committee approve the request of the Department of Justice to amend FIS 11-202, approved July 15, 2011, by extending the end date from September 30, 2012 to June 30, 2013, reallocate \$117,535 in federal funds through June 30, 2013, and continue one (1) part-time temporary Program Specialist II position through June 30, 2013. MOTION ADOPTED.

FIS 12-297 Department of Education – Paul Leather, Assistant Commissioner, and Irene Koffink, Administrator, Division of Data Management, Department of Education presented the request and responded to questions of the Committee.

On a motion by Representative Foose, seconded by Senator Larsen, that the Committee approve the request of the Department of Education to accept and expend \$1,540,973 in federal funds through June 30, 2013, and establish a full-time temporary Program Specialist II position and increase funding for additional consultant needs through June 30, 2013. MOTION ADOPTED. (8-Yes, 2-No)

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

FIS 12-274 Department of Health and Human Services – Nicholas Toumpas, Commissioner, Department of Health and Human Services presented the request and responded to questions of the Committee.

On a motion by Representative McGuire, seconded by Senator Morse, that the Committee table the request of the Department of Health and Human Services to accept and expend \$4,730,040 in federal funds through June 30, 2013; and requested that the Department first go before the Commerce and Consumer Affairs Committee. MOTION ADOPTED. (8-Yes, 2-No)

FIS 12-275 Department of Health and Human Services – On a motion by Senator Morse, seconded by Senator Boutin, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$17,639,826.20 in federal funds through June 30, 2013. MOTION ADOPTED.

FIS 12-301 Department of Health and Human Services – On a motion by Representative McGuire, seconded by Senator Morse, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$651,707 in other funds through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:203, LAWS OF 2011, DEPARTMENT BUDGETS; TRANSFER OF FEDERAL FUNDS, AND 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:

FIS 12-300 Department of Administrative Services – On a motion by Senator Morse, seconded by Senator Boutin, that the Committee approve the request of the Department of Administrative Services to transfer \$10,220 in federal funds through June 30, 2013, and accept and expend \$220,250 in federal funds through June 30, 2013, and further establish a consultant position through June 30, 2013. MOTION ADOPTED.

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

FIS 12-292 Department of Information Technology – On a motion by Representative McGuire, seconded by Senator Morse, that the Committee approve the request of the Department of Information Technology to transfer \$641,896 in other funds through June 30, 2013. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

Nicholas Toumpas, Commissioner responded to questions of the Committee regarding FIS 12-277 Department of Health and Human Services – Chapters 223:6 and 224:14, Laws of 2011 – July 2012 Budget status report for the fiscal year ending June 30, 2013 and FIS 12-279 Department of Health and Human Services – Chapter 224:314, Laws of 2011 – Medicaid Managed Care Update – August 2012.

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Department of Transportation, Fuel Distribution Section, Financial Audit Report For The Nine Months Ended March 31, 2012 – Richard Mahoney, Director of Audits, and Monica Mezzapelle, Audit Manager, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Patrick McKenna, Director of Finance, and Brian Pike, Fuel Distribution Manager, Department of Transportation were present to respond to questions of the Committee.

On a motion by Representative Rodeschin, seconded by Representative Foose, 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, October 26, 2012 at 10:00 a.m. (Whereupon the meeting adjourned at 11:56 a.m.)

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Representative Beverly Rodeschin, Clerk