

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES

February 18, 2011

The Fiscal Committee of the General Court met on Friday, February 18, 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 Daniel McGuire
Representative Stephen Stepanek
Representative Robert Foose
Senator Chuck Morse
Senate President Peter Bragdon
Senator Bob Odell
Senator Sylvia Larsen
Senator John Gallus

Chairman Weyler opened the meeting at 10:00 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Foose, seconded by Representative McGuire, that the minutes of the January 21, 2011 be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

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

NEW BUSINESS:

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 McGuire FIS 11-041 Department of Safety was removed from the Consent Calendar.

On a motion by Representative Stepanek, seconded by Senator Larsen, that the Committee approve the remaining requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 11-040 Department of Safety – accept and expend \$68,789, FIS 11-042 Department of Safety – accept and expend \$57,944, FIS 11-055 Public Utilities Commission – accept and expend \$81,647, FIS 11-056 Department of Safety – accept and expend \$77,000, FIS 11-061 Department of Environmental Services – accept and expend \$170,170, FIS 11-062 Department of Justice – accept and expend \$100,000, FIS 11-071 New Hampshire Liquor Commission – accept and expend \$64,140.80, FIS 11-072 Department of Transportation – accept and expend \$100,000]

FIS 11-041 Department of Safety – Kevin O’Brien, Chief of Planning and Policy, and Colonel Robert Quinn, State Police, Department of Safety responded to questions of the Committee.

On a motion by Senator Morse, seconded by Representative Stepanek, that the Committee approve the request of the Department of Safety to accept and expend \$750,000. MOTION ADOPTED. (9-Yes, 1-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

FIS 11-057 Department of Safety – Kevin O’Brien, Chief of Planning and Policy, and Colonel Robert Quinn, State Police, Department of Safety responded to questions of the Committee.

On a motion by Representative Foose, seconded by Senator Bragdon, that the Committee approve the request on the agenda under this section as submitted. MOTION ADOPTED. [FIS 11-057 Department of Safety- authorization to amend FIS 09-347, approved October 20, 2009, by reallocating \$35,492 in other ARRA funds through June 30, 2012]

RSA 124:15 POSITIONS RESTRICTED:

ARRA FUNDS CONSENT CALENDAR

On a motion by Representative McGuire, seconded by Senator Bragdon, that the Committee approve the request on the agenda under this section as submitted. MOTION ADOPTED. [FIS 11-044 Department of Justice – authorization to establish a consultant position through August 30, 2011 to provide legal research work for the ARRA-Energy Assurance Program]

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

ARRA FUNDS CONSENT CALENDAR

On a motion by Representative Foose, seconded by Senator Bragdon, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 11-074 Department of Health and Human Services – authorization to accept and expend \$8,239,135.91 in federal ARRA funds and decrease general funds in the amount of \$8,230,905 effective retroactive to July 1, 2010 through June 30, 2011 and further accept and expend \$28,375,469.12 in federal ARRA funds and decrease general funds in the amount of \$28,347,122 effective retroactive to July 1, 2010 through June 30, 2011]

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 228:69, I (b) APPROPRIATION AND USE OF SPECIAL RAILROAD FUND:

FIS 11-043 Department of Transportation – On a motion by Representative Foose, seconded by Senator Bragdon, that the Committee approve the request of the Department of Transportation to accept and expend revenue in the amount of \$536,490.54 from the Special Railroad Fund through June 30, 2011 and further expend an amount not to exceed \$536,490.54 for maintenance and repairs to active state-owned railroad lines through June 30, 2011. MOTION ADOPTED.

RSA 21-I:19-g, III, USE OF STATE-OWNED VEHICLES:

FIS 11-078 Department of Administrative Services – Linda Hodgdon, Commissioner, and Kevin Connor, Administrator, Department of Administrative Services, presented the request and responded to questions of the Committee. Deputy Adjutant General Stephen Burritt, The Adjutant General's Department, and Lorraine Merrill, Commissioner, Department of Agriculture were also present to respond to questions of the Committee.

On a motion by Representative McGuire, seconded by Representative Stepanek, that the Committee study the request of the Department of Administrative Services for approval of 125 waivers and the denial of 7 waiver requests from various state agencies to retain state owned vehicles which were not used for travel at or above the break-even mileage requirement during FY 2010 for another month. No Action Taken.

On an amended motion by Representative Stepanek, seconded by Representative McGuire, that the Committee approve the request of the Department of Administrative Services for the denial of 7 waiver requests from various state agencies to retain state owned vehicles which were not used for travel at or above the break-even mileage requirement during FY 2010 and withhold action on the Department's request for approval of 125 waivers. No Action Taken.

On a motion by Representative McGuire, seconded by Representative Stepanek, that the Committee grant a waiver authorizing the Adjutant General's Department to retain vehicle #2304641. MOTION ADOPTED. (7-Yes, 3-No)

On the previous amended motion by Representative Stepanek, seconded by Representative McGuire, that the Committee **amend** and approve the request of the Department of Administrative Services for the denial of **6, not 7**, waiver requests, from various state agencies to retain state owned vehicles which were not used for travel at or above the break-even mileage requirement during FY 2010 and table the Department's request for approval of 125 waivers. MOTION FAILS.

On a motion by Senator Bragdon, seconded by Representative Foose, that the Committee approve the original request of the Department of Administrative Services for approval of 125 waivers and the denial of 7 waiver requests from various state agencies to retain state owned vehicles which were not used for travel at or above the break-even mileage requirement during FY 2010, with the exception of the denial of the waiver for vehicle #2304641, which the Committee authorized the Adjutant General's Department to retain in a previous motion. MOTION ADOPTED. (9-Yes, 1-No)

The Chair appointed Representative McGuire as a subcommittee, with the option to recruit assistance from other members, to follow-up with the Department of Administrative Services the waiver requests to retain state owned vehicles which were not used for travel at or above the break-even mileage requirement during FY 2010.

RSA 604-A:1-b ADDITIONAL FUNDING:

FIS 11-059 Judicial Council – On a motion by Representative Foose, seconded by Senator Morse, that the Committee approve the request of the Judicial Council to receive \$275,000 in additional General Funds from funds not otherwise appropriated through June 30, 2011. MOTION ADOPTED.

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

FIS 11-046 Department of Health and Human Services – On a motion by Representative Foose, seconded by Representative McGuire, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$188,882 in federal funds through June 30, 2011. MOTION ADOPTED.

FIS 11-063 Department of Health and Human Services – On a motion by Representative McGuire, seconded by Representative Stepanek, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$98,880 in federal funds through June 30, 2011. MOTION ADOPTED.

FIS 11-075 Department of Health and Human Services – On a motion by Representative Foose, seconded by Senator Morse, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$220,613.39 in federal funds and decrease general funds in the amount of \$220,393 effective retroactive to July 1, 2010 through June 30, 2011 and further accept and expend \$1,476,412.94 in federal funds and decrease general funds in the amount of \$1,474,938 effective retroactive to July 1, 2010 through June 30, 2011. 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 11-064 Department of Health and Human Services – On a motion by Representative McGuire, seconded by Representative Stepanek, that the Committee approve the request of the Department of Health and Human Services to transfer \$2,119,014 in general funds and decrease related revenue adjustments of \$183,184 in federal funds and increase revenue adjustments of \$15,715 in other funds through June 30, 2011. MOTION ADOPTED.

FIS 11-065 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 transfer \$299,863 in general funds and increase related revenue adjustments of \$126,242 in federal funds and decrease revenue adjustments of \$25,260 in other funds through June 30, 2011. MOTION ADOPTED.

FIS 11-066 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 transfer \$11,081,697 in general funds and decrease related revenue adjustments of \$2,413,133 in federal funds and decrease revenue adjustments of \$28,950 in other funds through June 30, 2011. MOTION ADOPTED.

MISCELLANEOUS:

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Department of Labor, Financial Audit Report For the Fiscal Year Ended June 30, 2010 – Richard Mahoney, Director of Audits, and Christine Young, 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 was George Copadis, Commissioner, Department of Labor.

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

State of New Hampshire, Department of Corrections, Financial Audit Report For the Nine Months Ended March 31, 2010 – Richard Mahoney, Director of Audits, and James Lariviere, 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 William McGonagle, Assistant Commissioner, and Robert

Mullen, Director of Administration, Department of Corrections.

On a motion by Representative Rodeschin, seconded by Senator Bragdon, 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, March 25, 2011 at 10:00 a.m. (Whereupon the meeting adjourned.)

Representative Beverly Rodeschin, Clerk