

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES

February 24, 2006

The Fiscal Committee of the General Court met on Friday, February 24, 2006 at 9:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Frederick King, Chairman  
Senator Charles Morse, Vice Chairman  
Representative Joseph Stone, Clerk  
Representative Kenneth Weyler  
Representative Mary Jane Wallner  
Representative Peter Franklin  
Senator Theodore Gatsas  
Senator Robert Clegg, Jr.  
Senator John Gallas  
Senator John Barnes, Jr.

Chairman King opened the meeting at 9:12 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Weyler, seconded by Senator Morse, that the minutes of the January 23, 2006 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

FIS 05-256 Department of Resources and Economic Development, Division of Parks and Recreation - On a motion by Senator Morse, seconded by Representative Stone, that this request be taken off the table. MOTION ADOPTED.

Allison McLean, Director of Parks Operations, Department of Resources and Economic Development was present to respond to questions of the Committee.

On a motion by Senator Morse, seconded by Senator Gatsas, that the request from the Department of Resources and Economic Development, Division of Parks and Recreation be approved as submitted. MOTION ADOPTED.

RSA 9:16-a TRANSFER AUTHORIZED - CONSENT CALENDAR:

Senator Morse stated that the Senate wished to have request FIS 06-060 from the Department of Safety removed from the consent calendar.

On a motion by Representative Wallner, seconded by Senator Morse, that the remainder of the requests on the agenda be approved as submitted. MOTION ADOPTED. (FIS 06-031, FIS 06-050, FIS 06-054, and FIS 06-056)

On a motion by Senator Morse, seconded by Senator Gatsas that the Committee table request FIS 06-060 from the Department of Safety.  
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 - CONSENT CALENDAR:

FIS 06-026 Department of Resources and Economic Development, Bureau of Trails - On a motion by Senator Morse, seconded by Senator Gatsas, that the Committee approve the request from the Department of Resources and Economic Development, Bureau of Trails to accept and expend \$265,272. MOTION ADOPTED.

FIS 06-027 Department of Resources and Economic Development, Bureau of Trails - On a motion by Senator Morse, seconded by Representative Weyler, that the Committee approve the request from the Department of Resources and Economic Development, Bureau of Trails to accept and expend \$927,674. MOTION ADOPTED.

FIS 06-032 Department of Resources and Economic Development, Division of Parks and Recreation - This request was withdrawn by the Department.

FIS 06-033 Department of Environmental Services - On a motion by Senator Morse, seconded by Senator Gatsas, that the Committee approve the request from the Department of Environmental Services to accept and expend \$75,000. MOTION ADOPTED.

FIS 06-037 Fish and Game Department - On a motion by Senator Morse, seconded by Representative Stone, that the Committee approve the request from the Fish and Game Department to accept and expend \$195,000. MOTION ADOPTED.

FIS 06-041 Fish and Game Department - Daniel Lynch, Assistant Director presented the request and responded to questions of the Committee.

On a motion by Senator Morse, seconded by Representative Wallner, that the Committee approve the request from the Fish and Game Department to accept and expend \$100,100. MOTION ADOPTED.

FIS 06-051 Fish and Game Department - Daniel Lynch, Assistant Director presented the request and responded to questions of the Committee.

On a motion by Senator Morse, seconded by Senator Clegg, that this request be tabled. MOTION ADOPTED.

Senator Morse asked if any of these grants fund any organizations that are suing the state over the I-93 project. Senator Morse asked who is the Jordan Institute and who do they represent.

Senator Clegg requested answers to the following questions:

- why is the Jordan Institute the only one qualified to do this work;
- did the Jordan Institute bid on the project in a way or were they sole source out of DOT; and
- who is the lobbyist for the Jordan Institute?

FIS 06-052 Fish and Game Department - Daniel Lynch, Assistant Director presented the request and responded to questions of the Committee.

On a motion by Senator Morse, seconded by Representative Wallner, that the Committee approve the request from the Fish and Game Department to accept and expend \$115,000. MOTION ADOPTED.

FIS 06-059 Fish and Game Department - On a motion by Senator Morse, seconded by Representative Stone, that the Committee approve the request from the Fish and Game Department to accept and expend \$181,300. MOTION ADOPTED.

FIS 06-040 Department of Education, Division of Adult Learning and Rehabilitation - Mary Heath, Deputy Commissioner and Michael Bienik, Administrator, Office of Business Management presented the request and responded to questions of the Committee.

On a motion by Senator Morse, seconded by Representative Weyler, that the Committee approve the request of the Department of Education, Division of Adult Learning and Rehabilitation to accept and expend \$200,000. MOTION ADOPTED.

FIS 06-055 Postsecondary Education Commission - Kathryn Dodge, Executive Director was present to respond to questions of the Committee.

On a motion by Senator Morse, seconded by Representative Weyler, that the Committee approve the request of the Postsecondary Education Commission to accept and expend \$158,763. MOTION ADOPTED.

FIS 06-058 Department of Safety, Division of State Police - Wesley Colby, Director of Administration was present to respond to questions of the Committee.

On a motion by Senator Morse, seconded by Representative Weyler, that the Committee approve the request of the Department of Safety, Division of State Police to accept and expend \$75,127.98. MOTION ADOPTED.

FIS 06-066 Department of Transportation - On a motion by Senator Morse, seconded by Senator Gatsas, that the Committee table this request. MOTION ADOPTED.

RSA 106-H:9,I FUNDING; FUND ESTABLISHED:

FIS 06-061 Department of Safety, Division of Emergency Services, Communications and Management, Bureau of Emergency Communications - On a motion by Senator Morse, seconded by Senator Gatsas, that the Committee table this request. MOTION ADOPTED.

Senator Morse stated that the reason for tabling is that the Senate wants to meet with the Commissioner to go over all these issues.

RSA 21-P:12-d FIRE STANDARDS AND TRAINING AND EMERGENCY MEDICAL SERVICES FUND:

FIS 06-057 Department of Safety, Division of Fire Standards and Training and Emergency Medical Services - Wesley Colby presented the request and responded to questions of the Committee.

On a motion by Senator Clegg, seconded by Representative Weyler, that the Committee approve the request of the Department of Safety, Division of Fire Standards and Training and Emergency Medical Services to transfer \$423,000. 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 - CONSENT CALENDAR:

FIS 06-034 Department of Education - Mary Heath, Deputy Commissioner and Michael Bienik, Administrator, Office of Business Management presented the request and responded to questions of the Committee.

On a motion by Representative Wallner, seconded by Representative Weyler, that the Committee approve the request from the Department of Education to accept and expend \$147,938.59 and establish one (1) Education Consultant I position through June 30, 2007. 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:

FIS 06-067 Department of Transportation - Thomas Martin, Director of Finance and William Cass, Assistant Project Director presented the request and responded to questions of the Committee.

On a motion by Senator Morse, seconded by Representative Stone, that the Committee approve the request of the Department of Transportation to accept and expend \$25,731,000 and transfer \$5,435,000. MOTION ADOPTED.

CHAPTER 177:4,II, LAWS OF 2005 DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 06-047 Department of Health and Human Services, Division of Public Health Services - John Stephen, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Gatsas, seconded by Senator Morse, that the Committee approve the request of the Department of Health and Human Services, Division of Public Health Services to accept and expend \$75,000. MOTION ADOPTED.

CHAPTER 177:4,II AND III, LAWS OF 2005 DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 06-036 Department of Health and Human Services, Division of Family Assistance - John Stephen, Commissioner presented the request and responded to questions of the Committee.

On a motion by Representative Weyler, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Division of Family Assistance to accept and expend \$169,735 and transfer \$84,825. MOTION ADOPTED.

FIS 06-062 Department of Health and Human Services - John Stephen, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Clegg, seconded by Representative Stone, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$147,875 and transfer \$2,686,112. MOTION ADOPTED.

FIS 06-063 Department of Health and Human Services - John Stephen, Commissioner and Nancy Rollins, Director, Division of Children, Youth and Families presented the request and responded to questions of the Committee.

On a motion by Representative Wallner, seconded by Senator Morse, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$594,320 and transfer \$4,346,124. MOTION ADOPTED.

CHAPTER 177:4,II, LAWS OF 2005 DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS, 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 06-035 Department of Health and Human Services/Department of Safety - John Stephen Commissioner, Department of Health and Human Services and Wesley Colby, Director of Administration, Department of

Safety presented the request and responded to questions of the Committee.

On a motion by Representative Weyler, seconded by Senator Clegg, that the Committee approve the request of the Department of Health and Human Services/Department of Safety to accept and expend \$869,392 (HHS), accept and expend \$124,161 (Safety) and establish one (1) Executive Secretary position through June 30, 2007 (Safety). MOTION ADOPTED.

RSA 12-G:42,XI ADOPTION OF RULES:

FIS 06-045 Pease Development Authority, Division of Ports and Harbors - Geno Marconi, Director, Ports and Harbors presented the request and responded to questions of the Committee.

On a motion by Representative Stone, seconded by Senator Barnes, that the Committee approve the Pease Development Authority, Division of Ports and Harbors proposed fee schedule for vessel storage wait lists for the state-owned commercial piers and associated facilities, as specified in their letter and attachments dated February 1, 2005(sic). MOTION ADOPTED.

RSA 94:3-b SALARY ADJUSTMENT FOR RECRUITMENT AND RETENTION:

FIS 06-044 Department of Administrative Services - Donald Hill, Commissioner presented the request and responded to questions of the Committee.

On a motion by Representative Stone, seconded by Representative Weyler, that the Committee approve the request from the Department of Health and Human Services to increase the salary of the Director of Plant and Property Management from Grade GG to Grade HH (salary increase of \$7,259 from \$80,376 to \$87,635). MOTION ADOPTED.

FIS 06-049 Department of Health and Human Services, New Hampshire Hospital - John Stephen, Commissioner presented the request and responded to questions of the Committee.

On a motion by Representative Wallner, seconded by Senator Clegg, that the Committee approve the request of the Department of Health and Human Services, New Hampshire Hospital to increase the salary of the Senior Physician/Psychiatrist (position #9U440) from Grade OO to Grade PP (salary increase of \$5,784 from \$115,831 to \$121,615). MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The informational materials were accepted and placed on file.

Senator Gatsas had questions on the information provided by the Department of Education on No Child Left Behind. Mary Heath and Michael Bienik responded to those questions.

Senator Gatsas requested a reconciliation of what the Feds are telling us and what the State Department of Education is telling us. Senator Gatsas stated that his understanding is that for 2004 there is about \$31 million that has not been expended, and if those funds have not been expended by September, we lose those funds. Senator Gatsas requested a list of what each school district is receiving for funding, what funds the school districts have that have not been expended, and how much of that funding will the State Department of Education allow them to rollover.

AUDITS:

The Fidelity Advisor 529 Plan Annual Report September 30, 2005, The UNIQUE College Investing Plan Annual Report September 30, 2005, and the New Hampshire Lottery Commission Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2005 - Steve Hirt, Pricewaterhouse-Coopers presented the reports and responded to questions of the Committee. (These reports were accepted, released and placed on file at the January 23, 2006 meeting of the Fiscal Committee.)

New Hampshire Lottery Commission Management Letter for the Year Ended June 30, 2005 - Catherine Provencher, Director of Audits, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Rick Wisler, Executive Director, Lottery Commission was also present to respond to questions.

On a motion by Representative Weyler, seconded by Senator Gatsas, that the New Hampshire Lottery Commission Management Letter for the Year Ended June 30, 2005 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 will be on Friday, March 24, 2006 at 9:00 a.m. in Room 210-211 of the LOB. (Whereupon the Committee adjourned.)

Representative Joseph Stone, Clerk