

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

June 17, 2010

The Fiscal Committee of the General Court met on Thursday, June 17, 2010 at 9:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Marjorie Smith, Chairman
Representative Neal Kurk
Representative Daniel Eaton, Alternate
Representative Douglas Scamman
Representative Robert Foose
Representative Fran Wendelboe, Alternate
Senator Lou D'Allesandro
Senate President Sylvia Larsen
Senator Harold Janeway, Alternate
Senator Kathleen Sgambati
Senator John Gallus

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

ACCEPTANCE OF MINUTES:

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the minutes of the May 18, 2010 be accepted as written. MOTION ADOPTED.

LATE ITEM:

FIS 10-206 Office of the Governor – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Office of the Governor to accept and expend a voluntary payment by the University System of New Hampshire of \$25 million in other funds for deposit into the general fund of the State. MOTION ADOPTED.

NEW BUSINESS:

RSA 9:16-a, TRANSFERS AUTHORIZED:

CONSENT CALENDAR

Items FIS 10-192 and FIS 10-193 Department of Safety were removed from the Consent Calendar at the request of Representative Kurk.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the remainder of the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 10-181 Public Utilities Commission – transfer \$8,197, FIS 10-191 Department of Corrections – transfer \$193,000]

FIS 10-192 and FIS 10-193 Department of Safety - Wesley Colby, Director of Administration, Department of Safety presented the requests and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator D'Allesandro that the Committee approve the requests of the Department of Safety to transfer \$20,529 (FIS 10-192) and transfer \$5,004 (FIS 10-193). 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

On a motion by Representative Eaton, seconded by Senator D'Allesandro that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 10-167 Department of Transportation – accept and expend \$475,000, FIS 10-182 Department of Justice – accept and expend \$750,000 in federal funds effective July 1, 2010 through June 30, 2011, FIS 10-194 Banking Department – accept and expend \$150,000 in other funds effective July 1, 2010 through June 30, 2011, FIS 10-195 Department of Safety – accept and expend \$5,000,000 in federal disaster assistance funds effective 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:

ARRA FUNDS CONSENT CALENDAR

Item FIS 10-204 Office of Energy and Planning – authorization to 1) retroactively amend FIS 09-088, approved March 20, 2009, by reallocating \$690,162.17 in federal ARRA funds across the state fiscal years and between expenditure classes during which the grant award falls effective from March 20, 2009 through June 30, 2012 and authorization to 2) retroactively amend the action taken in item #1 by reallocating federal ARRA funds by increasing FY 2010 in the amount of \$5,171,536 and decreasing FY 2011 in the amount of \$5,171,536 effective from March 9, 2010 through June 30, 2012 and further authorization to 3) amend the action take in Item #2 by reallocating ARRA federal funds among various classes by \$41,223 in the aggregate between FY's 2010, 2011 and 2012 effective upon approval was removed from the Consent Calendar at the request of Representative Kurk.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the remainder of the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 10-196 Department of Environmental Services – accept and expend \$127,394 in federal ARRA funds through December 31, 2010]

FIS 10-204 Office of Energy and Planning – Donna Raymond, Fiscal Director, Office of Energy and Planning presented the request and responded to questions of the Committee. Christopher Clement, Director, Office of Economic Stimulus was also present to respond to questions.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Office of Energy and Planning to 1) retroactively amend FIS 09-088, approved March 20, 2009, by reallocating \$690,162.17 in federal ARRA funds across the state fiscal years and between expenditure classes during which the grant award falls effective from March 20, 2009 through June 30, 2012 and authorization to 2) retroactively amend the action taken in item #1 by reallocating federal ARRA funds by increasing FY 2010 in the amount of \$5,171,536 and decreasing FY 2011 in the amount of \$5,171,536 effective from March 9, 2010 through June 30, 2012 and further authorization to 3) amend the action taken in Item #2 by reallocating ARRA federal funds among various classes by \$41,223 in the aggregate between FY's 2010, 2011 and 2012 effective upon approval. 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:

ARRA FUNDS

FIS 10-202 Department of Education – Michael Bieniek, Administrator, Office of Budget and Finance, and Stephanie LaFreniere, Title I State Director, Department of Education presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Education to accept and expend \$15,473,827 in federal ARRA funds through December 31, 2011 and establish one (1) full-time temporary Education Consultant position through September 30, 2011. MOTION ADOPTED.

FIS 10-203 Office of Energy and Planning – Donna Raymond, Business Director, and Eric Steltzer, Energy Policy Analyst, Office of Energy and Planning presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Office of Energy and Planning to retroactively accept and expend \$10,000,000 in federal ARRA funds effective March 30, 2010 through May 31, 2013 and establish a full-time temporary ARRA Retrofit Ramp-Up Program Manager position through May 31, 2013. MOTION ADOPTED. (7-Yes, 1-No)

RSA 124:15 POSITIONS RESTRICTED:

ARRA FUNDS

FIS 10-183 Department of Justice – On a motion by Representative Eaton, seconded by Representative Foose, that the Committee approve the request of the Department of Justice to extend the end date of one (1) Trainer for Violence Against Women consultant position from June 30, 2010 to April 30, 2011 (FIS 09-286, approved August 27, 2009). 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 10-168 Department of Corrections – On a motion by Representative Eaton, seconded by Representative Foose, that the Committee approve the request of the Department of Corrections to accept and expend \$52,758 in other funds (from the Department of Justice) effective from July 1, 2010 or upon approval, whichever is later, through March 31, 2011 and extend the end date of one (1) full-time temporary position from June 30, 2010 to March 31, 2011 (FIS 10-081, approved March 12, 2010). MOTION ADOPTED.

RSA 21-P:23 HIGHWAY FUND SURPLUS:

FIS 10-201 Department of Safety – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Safety to transfer \$155,000 from the Highway Fund Surplus account through June 30, 2010. MOTION ADOPTED.

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

FIS 10-197 Department of Safety – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Safety to accept and expend \$27,000 in prior year other funds through June 30, 2010. MOTION ADOPTED.

RSA 604-A:1-b ADDITIONAL FUNDING:

FIS 10-184 Judicial Council – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Judicial Council to receive \$92,000 in additional General Funds from funds not otherwise appropriated through June 30, 2011. MOTION ADOPTED.

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

FIS 10-170 and FIS 10-171 Department of Education, FIS 10-172 Department of Environmental Services, FIS 10-185 Department of Cultural Resources and FIS 10-198 Department of Safety – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 10-170 Department of Education – transfer \$69,500 in federal funds through June 30, 2010, FIS 10-171 Department of Education – transfer \$27,000 in federal funds through June 30, 2010, FIS 10-172 Department of Safety – transfer \$996 in federal funds through June 30, 2010, FIS 10-185 Department of Cultural Resources – transfer \$10,000 in federal funds through June 30, 2010, FIS 10-198 Department of Safety – transfer \$2,500 in federal funds through June 30, 2010]

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

FIS 10-186 Department of Justice – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Justice to transfer \$8,500 in Fiscal Year 2011 federal funds through June 30, 2011 and accept and expend \$50,095 in supplemental federal grant funds effective from July 1, 2010 through June 30, 2011. MOTION ADOPTED.

CHAPTER 143:16, LAWS OF 2009, APPROPRIATION; STATE MATCHING FUNDS FOR FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD MITIGATION ASSISTANCE GRANTS:

FIS 10-199 Department of Safety – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Safety to pay an amount up to \$160,922 in state matching funds to the Town of Allenstown upon receipt of the appropriate documentation for the demolition and acquisition of flood damaged homes on Riverside Drive and Albin Avenue. MOTION ADOPTED.

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

FIS 10-173, FIS 10-174, FIS 10-175 and FIS 10-187 Department of Health and Human Services – On a motion by Representative Eaton, seconded by Senator D'Allesandro that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 10-173 Department of Health and Human Services – amend FIS 09-357, approved December 3, 2009, by reallocating previously accepted federal funds by decreasing the amount in SFY 2010 by \$29,719 and increasing the amount in SFY 2011 by \$29,719 through September 29, 2010, FIS 10-174 Department of Health and Human Services – accept and expend \$106,543 in federal funds through June 30, 2011, FIS 10-175 Department of Health and Human Services – accept and expend \$560,560 in federal funds effective retroactive to July 1, 2009 through June 30, 2011, FIS 10-187 Department of Health and Human Services – accept and expend \$100,000 in state general funds (otherwise not appropriated) through June 30, 2011]

CHAPTER 144:39, II, LAWS OF 2009, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS AND RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$50,000 FROM ANY NON-STATE SOURCE:

FIS 10-176 Department of Health and Human Services – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Health and Human Services to 1) amend FIS 09-324, approved September 29, 2009, by reallocating previously accepted federal funds by decreasing the amount in SFY 2010 by \$865,636 and increasing the amount in SFY 2011 by \$865,636 through July 30, 2010, and 2) subject to approval of Item #1, extend the end date of two (2) full-time temporary positions from June 30, 2010 to July 30, 2010 (FIS 09-324, approved September 29, 2009) and authorization for the Department of Safety to 3) amend FIS 09-324, approved September 29, 2009, by reallocating previously accepted other funds by decreasing the amount in SFY 2010 by \$33,645 and increasing the amount in SFY 2011 by \$33,645 through July 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:

FIS 10-189 and FIS 10-190 Department of Health and Human Services – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 10-189 Department of Health and Human Services – transfer \$888,337 in general funds and decrease related revenue adjustments of \$34,430 in federal funds and decrease related revenue adjustments of \$220,069 in other funds through June 30, 2010, FIS 10-190 Department of Health and Human Services – transfer \$304,727 in general funds and increase related revenue adjustments of \$140,906 in federal funds and decrease related revenue adjustments of \$46,191 in other funds through June 30, 2010]

CHAPTER 144:193, LAWS OF 2009, DEPARTMENT OF SAFETY AND DEPARTMENT OF HEALTH AND HUMAN SERVICES; TRANSFER OF FEDERALLY FUNDED EMPLOYEES AND CHAPTER 144:39, III, LAWS OF 2009, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 10-200 Department of Safety – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Safety to 1) transfer \$2,620,168 in revenue and appropriations of other funds, and the associated seven (7) positions, equipments and contracts to the Department of Health and Human Services effective July 1, 2010 through June 30, 2011 and 2) pending approval of request #1 further authorization for the Department of Health and Human Services to transfer \$555,708 in federal and general funds effective July 1, 2010 through June 30, 2011. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

ADJOURNMENT:

The next regular meetings of the Fiscal Committee were set for Tuesday, July 20, 2010 at 9:00 a.m. tentatively, only if necessary, and for Tuesday, September 21, 2010 at 9:00 a.m. (Whereupon the meeting adjourned.)

Representative Neal Kurk, Clerk