

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
August 27, 2009

The Fiscal Committee of the General Court met on Thursday, August 27, 2009 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 Robert Foose
Representative Douglas Scamman
Senator Lou D'Allesandro
Senate President Sylvia Larsen
Senator Kathleen Sgambati
Senator Peter Bragdon
Senator Michael Downing, Alternate

Chairman Smith opened the meeting at 9:07 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the minutes of the July 9, 2009 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

EIS 09-045 Department of Administrative Services – requests authorization for various departments to retain state owned passenger automobiles with FY 2008 reported mileage less than 12,000 miles. Tabled 3/20/09. 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

On a motion by Representative Eaton, seconded by Representative Foose, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [EIS 09-250 Department of Health and Human Services – authorization for the NH State Liquor Commission to accept and expend \$104,795.87 in SFY 2010 and \$45,204.13 in SFY 2011, totaling \$150,000 from the Department of Health and Human Services through September 30, 2010, EIS 09-278 Department of Corrections – accept and expend \$172,668.72, EIS 09-279 New Hampshire Fish and Game Department – accept and expend \$950,000, EIS 09-285 Department of Resources and Economic Development – accept and expend \$174,000]

RSA 124:15 POSITIONS RESTRICTED:

At the request of Representative Scamman, FIS 09-276 Department of Transportation was removed from the Consent Calendar for discussion.

FIS 09-276 Department of Transportation – On a motion by Representative Scamman, seconded by Representative Eaton, that the Committee table the request of the Department of Transportation to establish one (1) full-time temporary Electrician Supervisor II position through June 30, 2010 due to the lack of agency representation. 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:
ARRA FUNDS

At the request of Representative Kurk, items FIS 09-266 and FIS 09-267 Department of Education were removed from the Consent Calendar for discussion.

On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the remaining requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 09-261 Department of Administrative Services – accept and expend \$68,405 in federal ARRA funds through September 30, 2010, FIS 09-262 Department of Information Technology – accept and expend \$50,800 in SFY 2010 and \$25,000 in SFY 2011, totaling \$75,800 from the Office of Economic Stimulus in additional other funds through June 30, 2011, FIS 09-277 Department of Transportation – authorization to amend FIS 09-089, approved March 20, 2009, by reallocating \$11,547,491 through February 17, 2012 and authorization to further accept and expend \$40,556 in additional federal ARRA funds through February 12, 2011]

FIS 09-266 Department of Education – Michael Bieniek, Administrator, Office of Budget and Finance, Sharon DeAngelis, Business Administrator, and Bill Finn, Administrator, Services for the Blind and Visually Impaired, Department of Education 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 Department of Education to accept and expend \$80,095 in federal ARRA funds through June 30, 2011. MOTION ADOPTED. (9-Yes, 1-No)

FIS 09-267 Department of Education – Michael Bieniek, Administrator, Office of Budget and Finance, Sharon DeAngelis, Business Administrator, and Bill Finn, Administrator, Services for the Blind and Visually Impaired, Department of Education 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 Department of Education to accept and expend \$242,913 in federal ARRA funds through September 30, 2011. MOTION ADOPTED. (9-Yes, 1-No)

CHAPTER 144:39, II, (HB 2, SECTION 39, II) DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

ARRA FUNDS

Nicholas Toumpas, Commissioner, Department of Health and Human Services responded to questions of the Committee.

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. [EIS 09-243 Department of Health and Human Services – accept and expend \$3,624,621 in federal ARRA funds and decrease revenue adjustments to general funds in the amount of \$3,622,998, retroactive to July 1, 2009 through June 30, 2010, EIS 09-244 Department of Health and Human Services – accept and expend \$5,000,000 in federal ARRA funds retroactive to July 1, 2009 through June 30, 2011, EIS 09-251 Department of Health and Human Services – accept and expend \$9,212,478 in federal ARRA funds and decrease revenue adjustments to general funds in the amount of \$9,203,266 retroactive to July 1, 2009 through June 30, 2010, EIS 09-252 Department of Health and Human Services – accept and expend \$485,000 in federal ARRA funds retroactive to July 1, 2009 through September 30, 2010, EIS 09-253 Department of Health and Human Services – accept and expend \$18,491,216.76 in federal ARRA funds and decrease revenue adjustments to local funds in the amount of \$4,854,083 retroactive to July 1, 2009 through June 30, 2010 and further authorization to accept and expend \$28,070,516.47 in federal ARRA funds and decrease revenue adjustments to local funds in the amount of \$19,906,575 and decrease general funds in the amount of \$8,135,899 retroactive to July 1, 2009 through June 30, 2010, EIS 09-254 Department of Health and Human Services – accept and expend \$17,090,583 in federal ARRA funds and decrease revenue adjustments to general funds in the amount of \$17,073,509 retroactive to July 1, 2009 through June 30, 2010, EIS 09-255 Department of Health and Human Services – accept and expend \$1,720,763 in federal ARRA funds and decrease revenue adjustments to general funds in the amount of \$1,719,042 retroactive to July 1, 2009 through June 30, 2010, EIS 09-256 Department of Health and Human Services – accept and expend \$547,439 in federal ARRA funds and decrease revenue adjustments to general funds in the amount of \$546,892 retroactive to July 1, 2009 through June 30, 2010, EIS 09-257 Department of Health and Human Services – accept and expend \$949,824 in federal ARRA funds and decrease revenue adjustments to general funds in the amount of \$948,874 retroactive to July 1, 2009 through June 30, 2010, EIS 09-258 Department of Health and Human Services – accept and expend \$40,058,741.58 in federal ARRA funds and decrease revenue adjustments to general funds in the amount of \$40,018,722.86 retroactive to July 1, 2009 through June 30, 2010, EIS 09-294 Department of Health and Human Services – accept and expend \$703,882 in federal ARRA funds and \$223,174.54 of SNAP high performance bonus funds, for a total of \$927,056.54 through June 30, 2011]

RSA 124:15 POSITIONS RESTRICTED:

ARRA FUNDS

EIS 09-286 Department of Justice – Orville B. Fitch, Deputy Attorney General, and Rosemary Faretra, Director of Administration, 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 Department of Justice to establish a Trainer for Violence Against Women consultant position through June 30, 2010. 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

EIS 09-290 Department of Safety – On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Safety to accept and expend \$244,130 in additional ARRA pass-through funds through June 30, 2012 and establish one (1) full-time temporary Criminalist I position through June 30, 2012. 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:

EIS 09-269 Office of The Adjutant General – On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Office of The Adjutant General to accept and expend \$124,878 in federal funds from July 1, 2009 through June 30, 2011 and establish one (1) full-time temporary Program Specialist III position through June 30, 2011. MOTION ADOPTED.

EIS 09-284 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 accept and expend \$187,070 in federal funds through August 31, 2010 and establish one (1) full-time temporary Program Specialist II position through August 31, 2010. MOTION ADOPTED.

CHAPTER 143:4, LAWS OF 2009, LOTTERY COMMISSION; AUTHORITY GRANTED:

EIS 09-248 New Hampshire Lottery Commission – Rick Wisler, Executive Director, New Hampshire Lottery Commission 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 New Hampshire Lottery Commission to transfer \$2,300,000 from the Lottery Special Revenue Account for the purchase of instant gaming tickets and related services. MOTION ADOPTED.

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

EIS 09-264 Department of Health and Human Services – Nicholas Toumpas, Commissioner, and Regina Lamprey, CSBG Coordinator, Department of Health and Human Services 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 Health and Human Services to modify the Community Services Block Grant eligibility criteria by increasing income eligibility for services from 125% to 200% of the federal poverty level. MOTION ADOPTED. (9-Yes, 1-No)

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

EIS 09-249 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 accept and expend \$1,185,460.28 in federal funds and decrease revenue adjustments in general funds in the amount of \$1,184,277.00 effective retroactive to July 1, 2009 through June 30, 2010. MOTION ADOPTED.

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:

EIS 09-292 Department of Health and Human Services – On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$1,004,304 in federal funds through July 30, 2010 and further accept and expend \$387,856 in federal funds through June 30, 2010 and authorized the Department of Safety to accept \$200,000 in other funds through June 30, 2010. MOTION ADOPTED.

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

EIS 09-275 Department of Health and Human Services – Nicholas Toumpas, Commissioner, and James Fredyma, Controller, Department of Health and Human Services were present to respond to questions of the Committee.

The request from the Department of Health and Human Services to transfer \$55,100 was withdrawn by the agency.

FIS 09-289 Department of Health and Human Services – On a motion by Senator D'Allesandro, seconded by Representative Foose, that the Committee approve the request of the Department of Health and Human Services to transfer \$176,530. MOTION ADOPTED.

CHAPTER 144:181, LAWS OF 2009, DEPARTMENT OF INFORMATION TECHNOLOGY;
TRANSFERS AMONG ACCOUNTS:

FIS 09-291 Department of Information Technology – On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Information Technology to transfer \$33,319 in SFY 2010 and \$16,148 in SFY 2011 through June 30, 2011. MOTION ADOPTED.

RSA 124:15 POSITIONS RESTRICTED:

FIS 09-276 Department of Transportation – On a motion by Senator D'Allesandro, seconded by Senator Larsen, that the item be removed from the table. MOTION ADOPTED.

Leonard Russell, Financial Reporting Administrator, and Jeff Brillhart, Assistant Commissioner, Department of Transportation responded to questions of the Committee.

On a motion by Representative Scamman, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Transportation to establish one (1) full-time temporary Electrician Supervisor II position through June 30, 2010. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The Committee requested additional information regarding the Department of Administrative Services items; FIS 09-263 Department of Administrative Services – RSA 9:16-b, II– Reductions Authorized 60 Day Summary report as of June 30, 2009, FIS 09-263 Department of Administrative Services – RSA 9:16-b, II– Reductions Authorized 60 Day Summary report as of June 30, 2009 and FIS 09-293 Department of Administrative Services – summary of exceptions to Executive Order 2008-01 granted through the Office of the Governor from July 1, 2008 through June 30, 2009.

Linda Hodgdon, Commissioner, and Robert Beaulac, Business Supervisor, Department of Administrative Services responded to questions of the Committee.

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Department of Safety, Division of Fire Safety, Bureau of Building Safety and Construction, Financial Audit Report For The Six Months Ended December 31, 2008 – Richard Mahoney, Director of Audits, and William Mitchell, Audit Supervisor, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Wesley Colby, Director of Administration, and William Degnan, State Fire Marshal and Director, Division of Fire Safety, Department of Safety were present to respond to questions of the Committee.

On a motion by Representative Kurk, seconded by Senator D'Allesandro, 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 Tuesday, September 29, 2009 at 9:00 a.m. (Whereupon the meeting adjourned.)

Representative Neal Kurk, Clerk