

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES

September 13, 2013

The Fiscal Committee of the General Court met on Friday, September 13, 2013 at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Mary Jane Wallner, Chairman  
Representative Ken Weyler, Clerk  
Representative Peter Leishman  
Representative Sharon Nordgren (Alternate)  
Representative Daniel Eaton  
Senator Jeanie Forrester  
Senator Bob Odell  
Senate President Chuck Morse  
Senator Sylvia Larsen  
Senator Andy Sanborn

Chairman Wallner opened the meeting at 10:03 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Eaton, seconded by Representative Weyler, that the minutes of the July 10, 2013 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

FIS 12-359 Additional Information McAuliffe-Shepard Discovery Center – Jeffrey Pattison, Legislative Budget Assistant, spoke to the letter from the McAuliffe-Shepard Discovery Center, dated July 15, 2013, requesting that the Fiscal Committee withdraw FIS 12-359 McAuliffe-Shepard Discovery Center – requesting approval of the business plan for the operation of the McAuliffe-Shepard Discovery Center. Tabled 12/21/12

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

On a motion by Representative Eaton, seconded by Representative Weyler, that the Committee withdraw the request of the McAuliffe-Shepard Discovery Center requesting approval of the business plan for the operation of the McAuliffe-Shepard Discovery Center. MOTION ADOPTED.

FIS 13-081 Letter from Representative Lucy McVitty Weber, Chairman of the Legislative Performance Audit and Oversight Committee relative to the recommendation of the performance audit topics for 5) Police Standards and Training Council, The Council in Performance of its Charter. Tabled 03/08/13. No Action Taken.

NEW BUSINESS:

RSA 9:16-a TRANSFERS AUTHORIZED:

**CONSENT CALENDAR**

At the request of Representative Weyler, FIS 13-176 Department of Education was removed from the consent calendar.

FIS 13-176 Department of Education – Paul Leather, Deputy Commissioner, and Sue Folsom, Business Administrator, Department of Education, presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator Forrester, that the Committee approve the request of the Department of Education to transfer \$1,525,000. MOTION ADOPTED.

RSA 9:16-c, I. TRANSFER OF FEDERAL GRANT FUNDS:

**CONSENT CALENDAR**

On a motion by Representative Leishman, seconded by Representative Eaton, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 13-202 Department of Health and Human Services – transfer \$124,000]

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE:

**CONSENT CALENDAR**

On a motion by Senator Larsen, seconded by Senator Morse, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 13-170 Department of Resources and Economic Development – authorization to retroactively budget and expend \$3,009,272 in federal funds effective from July 1, 2013 through June 30, 2015, FIS 13-177 Department of Safety – accept and expend \$9,543,746, FIS 13-178 Department of Safety – accept and expend \$3,271,590, FIS 13-179 Department of Safety – accept and expend \$532,223, FIS 13-180 Department of Safety – accept and expend \$811,162, FIS 13-181 Department of Safety – accept and expend \$5,636,571, FIS 13-185 Department of Justice – authorization to retroactively amend FIS 12-320, approved November 8, 2012, by extending the end date only from June 30, 2013 to September 30, 2014, with no increase in funding, FIS 13-188 Department of Safety – accept and expend \$982,455, FIS 13-189 Department of Safety – accept and expend \$284,000, FIS 13-191 Department of Justice – authorization to retroactively amend FIS 12-033, approved January 20, 2012, by extending the end date from June 30, 2013 to September 30, 2014, with no increase in funding, FIS 13-192 Office of Energy and Planning – accept and expend \$200,000, FIS 13-193 Office of Energy and Planning – authorization to retroactively amend FIS 13-022, approved February 1, 2013, by extending the end date from June 30, 2013 to March 31, 2014, with no increase in funding, FIS 13-200 Department of Resources and Economic Development – authorization to retroactively budget and expend \$205,800 in federal funds effective from July 1, 2013 through June 30, 2015]

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE AND RSA 124:15 POSITIONS RESTRICTED:

CONSENT CALENDAR

At the request of Senator Sanborn, FIS 13-199 Department of Health and Human Services was removed from the consent calendar.

On a motion by Representative Eaton, seconded by Senator Larsen, that the Committee approve the remaining request under this section as submitted. MOTION ADOPTED. [FIS 13-186 Department of Justice – to 1) retroactively amend FIS 12-287, approved September 14, 2012, by extending the end date from June 30, 2013 to June 30, 2014, and 2) retroactively accept and expend \$91,014 in federal funds effective July 1, 2013 through June 30, 2014, and, contingent upon approval of #1 and #2, authorization to 3) retroactively continue one (1) full-time temporary Program Specialist II position for the period of July 1, 2013 to June 30, 2014 (FIS 12-287, approved September 14, 2012)]

FIS 13-199 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 Eaton, seconded by Representative Leishman, that the Committee approve the request of the Department of Health and Human Services to 1) accept and expend \$672,781 in federal ARRA funds through February 7, 2014, and 2) establish consultant positions through February 7, 2014. MOTION ADOPTED. (7-Yes, 3-No)

RSA 14:30-a, VI, FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE, AND RSA 228:69, I. (b), APPROPRIATION AND USE OF SPECIAL RAILROAD FUND:

FIS 13-194 Department of Transportation – On a motion by Representative Eaton, seconded by Senator Larsen, that the Committee approve the request of the Department of Transportation to 1) accept and expend \$708,945 in prior year carry forward Special Railroad funds, 2) accept and expend \$178,288 of current year Special Railroad funds, and 3) authorization to expend an amount not to exceed \$887,233 from the Special Railroad Fund for the maintenance and repair of State-owned railroad lines and bridges through June 30, 2014. MOTION ADOPTED. (9-Yes, 1-Abstain)

RSA 106-H:9, I. (e), FUNDING; FUND ESTABLISHED:

FIS 13-190 Department of Safety – On a motion by Representative Eaton, seconded by Senator Larsen, that the Committee approve the request of the Department of Safety to transfer \$384,001 from the prior year carry forward balance of the enhanced E-911 System Fund through June 30, 2014. MOTION ADOPTED.

CHAPTER 143:4, LAWS OF 2013, LOTTERY COMMISSION; AUTHORITY GRANTED:

FIS 13-171 New Hampshire Lottery Commission – On a motion by Representative Eaton, seconded by Representative Weyler, that the Committee approve the request of the New Hampshire Lottery Commission to purchase \$2,300,000 of instant gaming tickets and related services through June 30, 2014. MOTION ADOPTED.

CHAPTER 144:29, I AND III, LAWS OF 2013, DEPARTMENT OF ADMINISTRATIVE SERVICES; CONSOLIDATION OF BUSINESS PROCESSING FUNCTIONS:

FIS 13-205 Department of Administrative Services – On a motion by Representative Eaton, seconded by Senator Larsen, that the Committee approve the request of the Department of Administrative Services to 1) transfer and reallocate \$8,720 for personnel from the Department of Health and Human Services as a position substitution for the consolidation of business processing within state government at the Shared Services Center through June 30, 2015, and 2) execute a position substitution with the Department of Health and Human Services through June 30, 2015. MOTION ADOPTED.

CHAPTER 144:95, LAWS OF 2013, DEPARTMENT OF TRANSPORTATION; TRANSFER OF FUNDS:

FIS 13-203 Department of Transportation – On a motion by Representative Leishman, seconded by Representative Eaton, that the Committee approve the request of the Department of Transportation to transfer \$182,000 in Turnpike funds through June 30, 2014. MOTION ADOPTED.

FIS 13-204 Department of Transportation – On a motion by Representative Eaton, seconded by Senator Forrester, that the Committee approve the request of the Department of Transportation to transfer \$96,975 in Highway funds through June 30, 2014, and transfer \$77,580 in Highway funds through June 30, 2015. MOTION ADOPTED.

CHAPTER 144:137, I, LAWS OF 2013, TRANSFER OF FUNDS TO THE TRI-COUNTY COMMUNITY ACTION PROGRAM:

FIS 13-207 Public Utilities Commission – Amy Ignatius, Chairman, Public Utilities Commission, and Todd Fahey, Esquire, Orr and Reno and Appointed Trustee of the Tri-County Community Action Program, Inc., presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Leishman, that the Committee approve the request of the Public Utilities Commission on behalf of the Tri-County Community Action Program Inc., for approval of the expenditure of \$500,000 by the Tri-County Community Action Program, Inc. to be used to pay and manage priority unsecured debt and such other obligations as determined by the special trustee through June 30, 2014. MOTION ADOPTED.

MISCELLANEOUS:

Jeffry Pattison, Legislative Budget Assistant, requested Committee approval to fill three (3) vacancies in the Office of Legislative Budget Assistant, Audit Division.

On a motion by Representative Weyler, seconded by Senator Forrester, that the Committee approve the request of the Legislative Budget Assistant to fill three (3) vacancies in the Office of Legislative Budget Assistant, Audit Division. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

Linda Hodgdon, Commissioner, and Cathy Keane, Administrator, Risk Benefits Unit, Department of Administrative Services, responded to questions of the Committee regarding FIS 13-196 Department of Administrative Services – Chapter 144:32, Laws of 2013 – Report on the Cost Containment Plan for Retiree Health Care Program for the period of July 1, 2013 through June 30, 2015.

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Department of Health and Human Services, Division of Family Assistance, Electronic Benefit Transfer Cards, Performance Audit Report, September 2013 – Richard Mahoney, Director of Audits, and Vilay Diccico, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Mary Ann Cooney, Deputy Commissioner, and Terry Smith, Director, Division of Family Assistance, Department of Health and Human Services, were also present to respond to questions of the Committee. Rene Drouin, EBT Administrator, Division of Family Assistance, Department of Health and Human Services was also present.

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

State of New Hampshire, Board of Medicine, Financial Audit Report For the Nine Months Ended March 31, 2013 – 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. Kathryn Bradley, Executive Director, Board of Medicine, was also present to respond to questions of the Committee.

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

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE AND RSA 124:15 POSITIONS RESTRICTED:

**CONSENT CALENDAR**

The Committee requested that Jeffry Pattison, Legislative Budget Assistant, notify the Department of Health and Human Services that the Committee would like additional information regarding FIS 13-199 Department of Health and Human Services for the next meeting.

ADJOURNMENT:

The next regular meeting of the Fiscal Committee will be Friday, October 18, 2013 at 10:00 a.m. (Whereupon the meeting adjourned at 11:22 a.m.)

  
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Representative Ken Weyler, Clerk