

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES

September 21, 2005

The Fiscal Committee of the General Court met on Wednesday, September 21, 2005 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 Elizabeth Hager
Representative Mary Jane Wallner
Representative Peter Franklin
Senator Theodore Gatsas
Senator Robert Clegg, Jr.
Senator Richard Green
Senator Lou D'Allesandro

Chairman King opened the meeting at 9:10 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Stone, seconded by Representative Hager, that the minutes of the August 17, 2005 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

Update from Commissioner Murray on the Finance Director Position at the Department of Transportation - Edwin Smith, Director of Policy reported that the Finance Director position has been advertised and there are five applicants to date, two of whom are currently state employees. Mr. Smith stated the intent was to keep the position listing open until the end of the month and then proceed from there.

Update from Commissioner Murray on the Status of the Highway Surplus Account - Edwin Smith stated that the status of the highway surplus account is still in the hands of the LBA, and if there are technical questions Mr. Smith noted that LBA would be the people to answer them, since LBA has not given DOT any of their information yet.

RSA 9:16-a - TRANSFER AUTHORIZED:

FIS 05-165 Fish and Game Department - On a motion by Representative Hager, seconded by Representative Franklin, that the Committee approve the request from the Fish and Game Department to transfer \$13,700. MOTION ADOPTED.

RSA 9:16-a TRANSFER AUTHORIZED AND RSA 124:15 POSITIONS RESTRICTED:

FIS 172 Department of Education - Virginia Irwin, Division of Instruction presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Wallner, that the Committee approve the request from the Department of Education to transfer \$124,108 and establish a Program Specialist II position through June 30, 2007. MOTION ADOPTED.

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

FIS 05-175 Department of Health and Human Services, Division of Child Support Services - John Stephen, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Stone, that the Committee approve the request from the Department of Health and Human Services, Division of Child Support Services to accept and expend \$155,449. 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:

FIS 05-160 Department of Justice - Thomas Colantuono, U.S. Attorney and Linda Hodgdon, Department of Justice presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Wallner, that the Committee approve the request from the Department of Justice to accept and expend \$232,197. MOTION ADOPTED.

FIS 05-152 Department of Education - Virginia Irwin presented the request and responded to questions of the Committee.

On a motion by Senator Green, seconded by Representative Wallner, that the Committee approve the request from the Department of Education to accept and expend \$84,256. MOTION ADOPTED.

FIS 05-170 Department of Education - Virginia Irwin presented the request and responded to questions of the Committee.

On a motion by Senator Morse, seconded by Representative Stone, that the Committee table this request. MOTION ADOPTED.

FIS 05-171 Department of Education - Virginia Irwin 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 from the Department of Education to accept and expend \$1,043,249.67. (Senator Morse requested that his motion be withdrawn and Representative Hager withdrew her seconding motion.)

On a motion by Senator Morse, seconded Representative Hager, that the Committee table this request. MOTION ADOPTED.

FIS 05-153 Department of Safety, Division of Motor Vehicles - Earl Sweeney, Assistant Commissioner presented the request and responded to questions of the Committee.

On a motion by Representative Hager, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Safety, Division of Motor Vehicles to accept and expend \$198,555.05. MOTION ADOPTED.

FIS 05-178 Department of Safety, Division of Emergency Services, Communications and Management, Bureau of Emergency Management - Earl Sweeney, Assistant Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Green, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Safety, Division of Emergency Services, Communications and Management, Bureau of Emergency Management to accept and expend \$430,000. MOTION ADOPTED.

FIS 05-179 Department of Safety, Division of Emergency Services, Communications and Management, Bureau of Emergency Management - Earl Sweeney, Assistant Commissioner presented the request and responded to questions of the Committee.

On a motion by Representative Hager, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Safety, Division of Emergency Services, Communications and Management, Bureau of Emergency Management to accept and expend \$1,282,000. MOTION ADOPTED.

FIS 05-155 Department of Justice - Linda Hodgdon presented the request and responded to questions of the Committee.

On a motion by Representative Stone, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Justice to accept and expend \$972,000. MOTION ADOPTED.

FIS 05-161 Department of Justice - Linda Hodgdon presented the request and responded to questions of the Committee.

On a motion by Representative Stone, seconded by Representative Franklin, that the Committee approve the request from the Department of Justice to accept and expend \$113,303. MOTION ADOPTED.

FIS 05-168 Department of Environmental Services - Michael Nolin, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Green, seconded by Representative Hager, that the Committee approve the request from the Department of Environmental Services to accept and expend \$57,891.14. MOTION ADOPTED.

FIS 05-173 Department of Labor - George Copadis, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Green, seconded by Representative Hager, that the Committee approve the request from the Department of Labor to accept and expend \$464,305. MOTION ADOPTED.

FIS 05-174 Department of Resources and Economic Development, Division of Forests and Lands - Kenneth Plourde, Business Administrator presented the request and responded to questions of the Committee.

On a motion by Representative Stone, seconded by Senator Gatsas, that the Committee approve the request from the Department of Resources and Economic Development, Division of Forests and Lands to accept and expend \$115,986. 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 05-163 Department of Education - Virginia Irwin presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Wallner, that the Committee approve the request from the Department of Education to accept and expend \$403,226, and establish one Program Assistant I position through June 30, 2007. (This motion was never voted on.)

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

FIS 05-176 Department of Safety, Division of Motor Vehicles - Earl Sweeney, Assistant Commissioner presented the request and responded to questions of the Committee.

On a motion by Representative Stone, seconded by Representative Hager, that the Committee approve the request from the Department of Safety, Division of Motor Vehicles to accept and expend \$113,547.12, and establish a Highway Patrol and Enforcement Officer position through September 30, 2006. MOTION ADOPTED.

FIS 05-177 Department of Safety, Division of Motor Vehicles - Earl Sweeney, Assistant Commissioner presented the request and responded to questions of the Committee.

On a motion by Representative Stone, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Safety, Division of Motor Vehicles to accept and expend \$438,824, and establish three (3) Highway Patrol and Enforcement Officer positions and one (1) Highway Patrol Corporal position through September 30, 2006. MOTION ADOPTED.

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

FIS 05-156 Pease Development Authority, Division of Ports and Harbors - Attorney Robert Cheney, Jr., Sheehan, Phinney, Bass & Green presented the request and responded to questions of the Committee. Judy Dubois from the Division of Ports and Harbors was also present to respond to questions.

On a motion by Representative Hager, seconded by Representative Stone, that the Committee approve the Pease Development Authority, Division of Ports and Harbors proposed fee schedule for the state-owned commercial piers and associated facilities, as specified in their letter and attachments dated August 29, 2005. MOTION ADOPTED.

RSA 124:4 ACCEPTANCE AND EXPENDITURE OF FEDERAL AID:

FIS 05-180 Department of Resources and Economic Development, Division of Forests and Lands - Kenneth Plourde, Business Administrator and Philip Bryce, Director, Forests and Lands presented the request and responded to questions of the Committee.

On a motion by Representative Stone, seconded by Senator Green, that the Committee approve the request from the Department of Resources and Economic Development, Division of Forests and Lands to accept and expend \$988,000. MOTION ADOPTED.

RSA 216-A:3-g FEES FOR PARK SYSTEM:

FIS 05-162 Department of Resources and Economic Development, Division of Parks and Recreation - Kenneth Plourde, Business Administrator presented the request and responded to questions of the Committee.

Mr. Plourde distributed a handout on the cash flow analysis of Cannon Mountain's operations in the last completed fiscal year which is FY 2005.

On a motion by Senator D'Allesandro, seconded by Representative Stone, that the Committee approve the rate increases for Cannon Mountain and Flume Gorge as requested by the Department of Resources and Economic Development, Division of Parks and Recreation. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

LATE ITEMS:

FIS 05-182 Department of Health and Human Services (Chapter 177:117, Laws of 2005 Rate Setting and Chapter 176, Laws of 2005 - Commissioner John Stephen presented the informational materials and responded to questions of the Committee.

Senator Morse requested that this item be put on the agenda for the October 19th Fiscal Committee meeting for further discussion.

FIS 05-183 Department of Health and Human Services, Division of Public Health Services - Commissioner Stephen presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Division of Public Health Services to accept and expend \$60,000. MOTION ADOPTED.

FIS 05-185 Office of Energy and Planning - Mary Ann Manoogian, Director presented the request and responded to questions of the Committee.

On a motion by Representative Stone, seconded by Senator D'Allesandro, that the Committee approve the request from the Office of Energy and Planning to accept and expend \$185,041.25. MOTION ADOPTED.

FIS 05-184 Department of Revenue Administration - August Refund Report. (This informational report was accepted and placed on file.)

MISCELLANEOUS:

Michael Buckley, Legislative Budget Assistant addressed the Committee relative to staffing levels in the Audit Division. Mr. Buckley reported the Audit Division has 34 authorized positions - 16 financial audit positions, 9 performance audit positions and 3 more general positions that are filled, for a total of 28 filled positions out of 34. Mr. Buckley requested authorization to fill the remaining 6 positions, which are 3 on the financial audit side and three on the performance audit side.

On a motion by Senator D'Allesandro, seconded by Representative Franklin, that the Legislative Budget Assistant have the authority to fill 6 positions in the Audit Division. MOTION ADOPTED.

Commissioner John Stephen - Chairman King requested clarification on the procedure for the waiver submitted to the federal government. Chairman King stated it was his understanding that the waiver would come to the Fiscal Committee for final approval. Chairman King stated that it was his understanding that after the final negotiations have taken place with Washington, the waiver would go back to the Health and Human Services Oversight Committee for their review; when they are satisfied, it would come to the Fiscal Committee for a final vote. Commissioner Stephen stated that this was his understanding also of the procedure.

Chairman King opened the meeting up for any questions of Commissioner Stephen by Committee members regarding the waiver and the process.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next meeting of the Fiscal Committee will be on Wednesday, October 19, 2005 at 9:00 a.m. (A future meeting date has also been set for Wednesday, November 16, 2005.)

Whereupon the Committee adjourned.

Representative Joseph Stone, Clerk