

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES

September 26, 2014

The Fiscal Committee of the General Court met on Friday, September 26, 2014 at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Mary Jane Wallner, Chair
Representative Ken Weyler, Clerk
Representative Bernard Benn (Alternate)
Representative Cindy Rosenwald
Representative Daniel Eaton
Senator Jeanie Forrester, Vice Chair
Senator Bob Odell
Senate President Chuck Morse
Senator Lou D'Allesandro (Alternate)
Senator Andy Sanborn

Chairman Wallner opened the meeting at 10:08 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Eaton, seconded by Senator Forrester, that the minutes of the July 25, 2014 meeting be accepted as written. MOTION ADOPTED. (6-Yes, 4-Abstain)

OLD BUSINESS:

FIS 13-081 Additional Information – request from the Members of the Joint Legislative Performance Audit and Oversight Committee, dated December 6, 2013, requesting that the proposed Police Standards and Training Council audit be removed from the table and voted on. (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.

FIS 14-120 Department of Education – On a motion by Representative Rosenwald, seconded by Senator Morse, that the request for authorization to establish one (1) full-time temporary Program Assistant II position for the period of August 8, 2014 through June 30, 2015, Held Over by Special Order July 25, 2014, be placed on the table. MOTION ADOPTED.

FIS 14-130 Additional Information – letter of intent, dated September 10, 2014, to withdraw the pending hearing aid item as requested in FIS 14-130 Department of Health and Human Services - Pursuant to Chapter 3:2 (SB 413), Laws of 2014, request Committee approval of various state plan amendments for the NH Health Protection program; 1) submitting a further state plan amendment to remove non-emergency services from coverage under the Alternative

Benefit Plan for the new adult group, and 2) request to add coverage for hearing aids for the new adult group for those over age 21, as specified in the request dated July 22, 2014. Tabled 07/25/14. No Action Taken.

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

At the request of Representative Rosenwald and Senator Sanborn respectively, FIS 14-144 Department of Resources and Economic Development and FIS 14-149 Department of Transportation were removed from the Consent Calendar.

On a motion by Representative Eaton, seconded by Representative Benn, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 14-142 Department of Environmental Services – accept and expend \$270,270, FIS 14-143 Department of Justice – authorization to amend FIS 13-191, approved September 13, 2013, by extending the end date from September 30, 2014 to June 30, 2015, with no increase in funding, FIS 14-148 Department of Health and Human Services – accept and expend \$239,619, FIS 14-156 Office of Energy and Planning – authorization to amend FIS 14-048, approved April 25, 2014, by reallocating \$42,331.96 in federal ARRA funds through November 1, 2014, and FIS 14-157 New Hampshire Fish and Game Department – accept and expend \$910,000]

FIS 14-144 Department of Resources and Economic Development – Christopher Way, Deputy Director, Division of Economic Development, and Tina Kasim, Program Manager, Office of International Commerce, Department of Resources and Economic Development presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Benn, that the Committee approve the request of the Department of Resources and Economic Development to accept and expend \$159,725. MOTION ADOPTED.

FIS 14-149 Department of Transportation – Patrick McKenna, Deputy Commissioner, and Marie Mullen, Director of Finance, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Sanborn, that the Committee approve the request of the Department of Transportation to accept and expend \$675,000. 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

At the request of Senator Sanborn, FIS 14-151 Department of Corrections was removed from the Consent Calendar.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the remaining request under this section as submitted. MOTION ADOPTED. [FIS 14-152 Department of Safety – authorization to 1) amend FIS 14-034, approved March 21, 2014, by extending the end date from September 30, 2014 to June 30, 2015, with no increase in funding, and 2) authorization to amend FIS 14-034, approved March 21, 2014, by extending a consultant position end date from September 30, 2014 to June 30, 2015, with no increase in funding]

FIS 14-151 Department of Corrections – Gary Arceci, Deputy Director of Administration, and Jennifer Lind, Project Administrator, Department of Corrections presented the request and responded by questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Rosenwald, that the Committee approve the request of the Department of Correction to 1) budget and expend \$308,923 in prior year balance forward federal funds through June 30, 2015, and 2) establish one (1) part-time temporary Administrator IV positions through June 30, 2015. MOTION FAILED. (5-Yes, 5-No)

On a motion by Senator Forrester, seconded by Senator Sanborn, that the Committee table the request of the Department of Correction to 1) budget and expend \$308,923 in prior year balance forward federal funds through June 30, 2015, and 2) establish one (1) part-time temporary Administrator IV positions through June 30, 2015. MOTION FAILED. (5-Yes, 5-No)

On a motion by Senator Sanborn, seconded by Senator Forrester, that the Committee special order to the next meeting the request of the Department of Correction to 1) budget and expend \$308,923 in prior year balance forward federal funds through June 30, 2015, and 2) establish one (1) part-time temporary Administrator IV positions through June 30, 2015. 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 228:69, I. (B), APPROPRIATION AND USE OF SPECIAL RAILROAD FUND:

FIS 14-150 Department of Transportation – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Transportation to 1) accept and expend \$500,000 in prior year carry forward Special Railroad funds, and 2) expend an amount not to exceed \$500,000 from the Special Railroad Fund for the maintenance and repair of State-owned railroad lines and bridges through June 30, 2015. MOTION ADOPTED.

RSA 21-I:56, II, RECLASSIFICATION OF POSITIONS OR INCREASES:

FIS 14-153 Department of Education – Virginia Barry, Commissioner, and Caitlin Davis, Internal Auditor, Department of Education presented the request and responded to questions of the Committee.

On a motion by Representative Rosenwald, seconded by Representative Eaton, that the Committee approve the request of the Department of Education to reclassify vacant Position #13164 from Administrator III, labor grade 31, to Executive Project Manager, labor grade 35. MOTION FAILED. (5-Yes, 5-No)

On a motion by Senator Forrester, seconded by Senator Sanborn, that the Committee special order to the next meeting the request of the Department of Education to reclassify vacant Position #13164 from Administrator III, labor grade 31, to Executive Project Manager, labor grade 35. MOTION ADOPTED.

RSA 215-A:23, IX, AND RSA 215-C:39, X, REGISTRATION FEES:

FIS 14-146 New Hampshire Fish and Game Department – Glenn Normandeau, Executive Director, New Hampshire Fish and Game Department presented the request and responded to questions of the Committee.

On a motion by Representative Weyler, seconded by Representative Eaton, that the Committee approve the request of the New Hampshire Fish and Game Department to transfer \$250,000 of unexpended funds from Excess Registration Fees to the Fish and Game OHRV Fiscal Year 2015 Operating Budget. MOTION ADOPTED. (7-Yes, 3-No)

The Committee requested that the Department verify the OHRV registration data provided in the request.

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

FIS 14-145 New Hampshire Lottery Commission – Charles McIntyre, Executive Director, and Maura, McCann, Communications Director, New Hampshire Lottery Commission presented the request, a handout, 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 New Hampshire Lottery Commission to offer, in conjunction with the Multi-State Lottery Association (MUSL), and approximately twenty-three other United States based lotteries, a new lottery game to be known as Monopoly Millionaire's Club beginning October 19, 2014. MOTION ADOPTED.

CHAPTER 144:31, LAWS OF 2013, DEPARTMENT OF ADMINISTRATIVE SERVICES;
TRANSFER AMONG ACCOUNTS AND CLASSES:

FIS 14-159 Department of Administrative Services – On a motion by Representative Eaton, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Administrative Services to transfer \$226,769 within and among accounting units and create three (3) new expenditure classes through June 30, 2015. MOTION ADOPTED.

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

FIS 14-132 Department of Transportation – On a motion by Representative Eaton, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Transportation to establish various non-budgeted classes in various accounting units and transfer \$177,500 within Turnpike Fund accounting units and classes through June 30, 2015. MOTION ADOPTED.

FIS 14-136 Department of Transportation – Patrick McKenna, Deputy Commissioner, and Marie Mullen, Director of Finance, Department of Transportation 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 Transportation to establish a non-budgeted class and transfer \$172,980 between accounts through June 30, 2015. MOTION ADOPTED.

FIS 14-154 Department of Transportation – On a motion by Representative Eaton, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Transportation to establish various non-budgeted classes in various accounting units and to transfer \$349,466 between various accounts and classes through June 30, 2015. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

Senator Forrester requested information pertaining to a Public Utilities Commission item regarding Renewable Energy Funds that was submitted and subsequently withdrawn prior to the Fiscal Committee agenda being posted.

Michael Kane, Deputy Legislative Budget Assistant, responded to questions of the Committee, explaining that the Renewable Energy Fund under RSA 362-F is continually appropriated, and that under statute the Public Utilities Commission has the authority to expend said funds without Fiscal Committee approval.

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

FIS 14-151 Department of Corrections – On a motion by Representative Benn, seconded by Representative Rosenwald, that the Committee reconsider the request of the Department of Corrections to 1) budget and expend \$308,923 in prior year balance forward federal funds through June 30, 2015, and 2) establish one (1) part-time temporary Administrator IV positions through June 30, 2015. MOTION FAILED. (5-Yes, 5-No)

INFORMATIONAL MATERIALS:

FIS 14-164 Department of Health and Human Services – Nicholas Toumpas, Commissioner, Department of Health and Human Services updated the Committee regarding July 2014 Operating Statistics Dashboard report for the fiscal year ending June 30, 2015.

The informational items were accepted and placed on file.

10:30 A.M.

AUDITS:


State of New Hampshire, Judicial Council, Financial Audit For The Nine Months Ended March 31, 2014 – William Mitchell, Financial Audit Supervisor, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Christopher Keating, Executive Director, Judicial Council was present to respond to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Eaton, that the report 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 was set for Monday, November 10, 2014 at 10:00 a.m.

Representative Weyler made a motion that the meeting adjourn. (Whereupon the meeting adjourned at 11:33 a.m.)



Representative Ken Weyler, Clerk