

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES  
September 29, 2009

The Fiscal Committee of the General Court met on Tuesday, September 29, 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 Sharon Nordgren  
Representative Fran Wendelboe, Alternate  
Representative Daniel Eaton, Alternate  
Senator Lou D'Allesandro  
Senator Maggie Wood Hassan, Alternate  
Senator Kathleen Sgambati  
Senator John Gallus  
Senator Peter Bragdon

Chairman Smith opened the meeting at 9:08 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Kurk, seconded by Senator D'Allesandro, that the minutes of the August 27, 2009 meeting be accepted as written. MOTION ADOPTED.

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 Senator D'Allesandro, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 09-296 Department of Environmental Services – accept and expend \$582,298, FIS 09-305 Department of Agriculture – accept and expend \$84,726, FIS 09-306 Department of Environmental Services – accept and expend \$244,963, FIS 09-307 Department of Resources and Economic Development – accept and expend \$104,795.35]

RSA 124:15 POSITIONS RESTRICTED:

On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request on the agenda under this section as submitted. MOTION ADOPTED. [FIS 09-322 Department of Justice – authorization to establish one (1) part-time consultant position retroactive to July 1, 2009 through June 30, 2010]

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

On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 09-308 Department of Labor – accept and expend \$558,591 in federal ARRA funds on behalf of the Workforce Opportunity Council, Inc. through March 31, 2011, FIS 09-312 Department of Environmental Services – accept and expend \$1,800,000 in federal ARRA funds through September 30, 2014, FIS 09-313 Department of Environmental Services – accept and expend \$2,523,000 in federal ARRA funds through December 31, 2011]

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

ARRA FUNDS

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 09-297 Department of Health and Human Services – accept and expend \$4,692,092 in federal ARRA funds retroactive to July 1, 2009 through June 30, 2010, FIS 09-298 Department of Health and Human Services – accept and expend \$1,948,781 in federal ARRA funds retroactive to July 1, 2009 through June 30, 2010]

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 09-318 Department of Resources and Economic Development – On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Resources and Economic Development to accept and expend \$750,000 in other ARRA funds and establish one (1) full-time temporary Administrator I position through June 30, 2012. MOTION ADOPTED.

CHAPTER 144:39, II, LAWS OF 2009, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS AND RSA 124:15 POSITIONS RESTRICTED:

ARRA FUNDS

FIS 09-315 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 \$737,551 in federal ARRA

funds through December 31, 2011 and establish one (1) part-time temporary Laboratory Scientist I position through December 31, 2011. 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 09-321 Department of Justice – On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Justice to accept and expend a sub-grant from the NH Department of Justice in the amount \$190,000 from the FFY 2009 Edward Byrne Justice Assistance Grant Program and establish one (1) part-time consultant position through June 30, 2011. MOTION ADOPTED.

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

FIS 09-310 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 \$60,000. 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 AND RSA 124:15 POSITIONS RESTRICTED:

FIS 09-317 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 \$1,729,357 in federal funds through July 30, 2010, establish one (1) full-time temporary Informational Representative position through June 30, 2010 and authorize the Department of Safety to accept \$104,577.77 in additional other funds through July 30, 2010. MOTION ADOPTED.

LATE ITEMS:

FIS 09-324 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 \$4,251,978 in federal funds through July 30, 2010, establish three (3) full-time temporary positions; one Informational Representative, one Warehouse Supervisor and one Program Specialist I, and authorize the Department of Safety to accept \$87,675.13 in additional other funds through July 30, 2010. MOTION ADOPTED.

FIS 09-325 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 \$603,603 in federal ARRA funds through June 30, 2011. MOTION ADOPTED.

FIS 09-326 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 \$2,398,294 in federal ARRA funds retroactive from September 1, 2009 through September 30, 2011. MOTION ADOPTED.

FIS 09-327 Department of Environmental Services – Susan Carlson, Chief Financial Officer, Department of Environmental 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 Environmental Services to transfer \$8,435,000. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The Committee requested additional information regarding the Department of Health and Human Services item; FIS 09-323 Department of Health and Human Services – information regarding intended actions to be taken to address a projected shortfall in funding for Medicaid mental health services for the fiscal year ending June 30, 2010.

Nicholas Toumpas, Commissioner, and James Fredyma, Controller, Department of Health and Human Services responded to questions of the Committee. Also discussed were items; FIS 09-300 Department of Health and Human Services – Chapter 263:54, Laws of 2007 – Nursing Facility Rates, report on assumptions used to calculate the acuity-based rates paid to nursing facilities covering the rate period beginning July 1, 2009 for SFY 2010 and FIS 09-319 Department of Health and Human Services – Chapter 144 (HB2), Laws of 2009 – budget status report for the fiscal year ending June 30, 2010.

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Board of Pharmacy, Financial Audit Report For The Six Months Ended December 31, 2008 – Richard Mahoney, Director of Audits, and Monica Mezzapelle, Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. James Queenan, Executive Secretary, and George Bowersox, Board President, Board of Pharmacy were present to respond to questions of the Committee.

On a motion by Representative Kurk, seconded by Representative Eaton, 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, October 20, 2009 at 10:30 a.m.

On a motion by Representative Eaton, seconded by Senator Gallus, that the meeting adjourn. MOTION ADOPTED. (Whereupon the meeting adjourned at 10:38 a.m.)

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Representative Neal Kurk, Clerk