

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

April 26, 2012

The Fiscal Committee of the General Court met on Friday, April 26, 2012 at 3:00 p.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Ken Weyler, Chairman  
Representative Beverly Rodeschin  
Representative Daniel McGuire  
Representative Stephen Stepanek  
Representative Robert Foose  
Senator Chuck Morse  
Senate President Peter Bragdon  
Senator Jack Barnes (Alternate)  
Senator Sylvia Larsen  
Senator John Gallus

Chairman Weyler opened the meeting at 3:00 p.m.

ITEMS TABLED AT THE APRIL 13, 2012 MEETING:

FIS 12-125 Department of Justice – Ann Rice, Deputy Attorney General, Department of Justice, and Michael Wimsatt, Director, Waste Management Division, Department of Environmental Services, responded to questions of the Committee.

On a motion by Senator Bragdon, seconded by Representative Foose, that the item be removed from the table. MOTION ADOPTED.

On a motion by Representative Stepanek, seconded by Senator Bragdon, that the Committee approve the request of the Department of Justice to retain outside counsel from an out-of-state firm for the purpose of bringing claims for unjust enrichment against major oil companies. MOTION ADOPTED.

FIS 12-135 Department of Health and Human Services – On a motion by Senator Bragdon, seconded by Representative McGuire, that the item be removed from the table. MOTION ADOPTED.

The Department of Health and Human Services submitted request, FIS 12-135 Additional Information, to withdraw FIS 12-135 Department of Health and Human Services – request for authorization to 1) transfer \$37,000 in general funds effective July 1, 2012 through June 30, 2013, and contingent upon approval of #1, authorization to 2) accept and expend \$42,543 in federal matching funds effective July 1, 2012 through June 30, 2013, and contingent upon approval of #1 and #2, authorization to 3) establish two (2) full-time temporary Secretary II positions effective July 1, 2012 through June 30, 2013. WITHDRAWN BY AGENCY.

FIS 12-145 Administrative Office of the Courts – On a motion by Senator Morse, seconded by Senator Bragdon, that the item be removed from the table. MOTION ADOPTED.

Chief Justice Linda Dalianis, New Hampshire Supreme Court, requested to replace FIS 12-145, tabled April 13, 2012, with item FIS 12-146.

On a motion by Senator Bragdon, seconded by Representative Foose, that request, FIS 12-145, of the Administrative Office of the Courts for approval for \$2,819,922 of additional funding for the year ending June 30, 2013 from funds not otherwise appropriated and permission to come before the Fiscal Committee during fiscal year 2013 to request an additional \$900,000 of funding to continue the NH e-Court implementation, if necessary, be replaced by item FIS 12-146. MOTION ADOPTED.

NEW BUSINESS:

CHAPTER 223:11, III, LAWS OF 2011, JUDICIAL BRANCH; GENERAL FUND APPROPRIATION REDUCTIONS:

FIS 12-146 Administrative Office of The Courts – Chief Justice Linda Dalianis, New Hampshire Supreme Court, and Dale Trombley, Fiscal Manager, Administrative Office of the Courts, presented the request and responded to questions of the Committee. Donald Goodnow, Director, Administrative Office of the Courts, Honorable Tina Nadeau, Chief Justice, New Hampshire Superior Court, and Honorable Edward Kelly, Administrative Judge, Circuit Court, were present to respond to questions of the Committee.

On a motion by Representative Stepanek, seconded by Representative McGuire, that the Committee **amend** the request as submitted by the Administrative Office of the Courts by approving **\$1,207,621, not \$1,397,141**, of additional funding for the fiscal year ending June 30, 2013 from funds not otherwise appropriated, as detailed by items 1 through 3 and 5 through 7 on Attachment A, and permission to come before the Fiscal Committee during fiscal year 2013 to request additional funding if a capital appropriation of \$1.7 million is not authorized for fiscal year 2013 for funding needed for the NH eCourt project and for jury management software. MOTION ADOPTED.

On a motion by Representative Stepanek, seconded by Senator Bragdon, that the Committee approve the request as amended of the Administrative Office of the Courts by approving \$1,207,621 of additional funding for the fiscal year ending June 30, 2013 from funds not otherwise appropriated, as detailed by items 1 through 3 and 5 through 7 on Attachment A. MOTION ADOPTED.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next meeting of the Fiscal Committee is scheduled for Friday, May 18, 2012 at 10:00 a.m.

On a motion by Senator Morse, seconded by Senator Barnes, that the meeting adjourn.  
MOTION ADOPTED. (Whereupon the meeting adjourned at 3:40 p.m.)

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Representative Beverly Rodeschin, Clerk