

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES  
May 2, 2011

The Fiscal Committee of the General Court met on Monday, May 2, 2011 at 10:00 a.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 Alfred Lerandean (Alternate)  
Representative John Reagan (Alternate)  
Senator Chuck Morse  
Senator Bob Odell  
Senate President Peter Bragdon  
Senator Sylvia Larsen  
Senator John Gallus

Chairman Weyler opened the meeting at 10:15 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Rodeschin, seconded by Representative Stepanek, that the minutes of the March 25, 2011 be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

Office of Legislative Budget Assistant – Administrative Procedures. Tabled 12/29/10.  
No Action Taken.

NEW BUSINESS:

RSA 9:16-a, TRANSFERS AUTHORIZED:

**CONSENT CALENDAR**

On a motion by Senator Bragdon, seconded by Representative McGuire, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 11-132 Department of Safety – transfer \$150,000]

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**

At the request of Representative McGuire FIS 11-082 Department of Education was removed from the Consent Calendar.

On a motion by Senator Bragdon, seconded by Representative Stepanek, that the Committee approve the remaining requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 11-118 Department of Safety – accept and expend \$234,071, FIS 11-119 Department of Transportation – accept and expend \$56,082, FIS 11-133 Department of Environmental Services – accept and expend \$450,000]

FIS 11-082 Department of Education – Michael Bieniek, Administrator, Office of Business Management, and Deborah Wiswell, Administrator, Bureau of Accountability, Department of Education responded to questions of the Committee.

On a motion by Senator Bragdon, seconded by Senator Larsen, that the Committee approve the request of the Department of Education to accept and expend \$956,085. MOTION ADOPTED. (9-Yes, 1-No)

FIS 11-118 Department of Safety – Wesley Colby, Director of Administration, Department of Safety responded to questions of the Committee regarding the request to accept and expend \$234,071 (item previously approved).

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 CONSENT CALENDAR**

At the request of Representative McGuire FIS 11-141 Department of Resources and Economic Development was removed from the Consent Calendar.

On a motion by Senator Bragdon, seconded by Representative McGuire, that the Committee approve the remaining requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 11-120 Department of Environmental Services – authorization to amend FIS 09-162, approved May 15, 2009, by reallocating \$79,862 in federal ARRA funds through September 30, 2011, FIS 11-134 Office of Energy and Planning – authorization to amend FIS 10-265, approved September 21, 2010, by reallocating \$3,000 in federal ARRA funds through August 14, 2012, FIS 11-140 Office of Energy and Planning – authorization to amend FIS 09-384, approved December 3, 2009, by reallocating \$235 in federal ARRA funds through February 17, 2012]

FIS 11-141 Department of Resources and Economic Development – Jacqueline Heuser, Director, Office of Workforce Opportunity, Department of Resources and Economic Development and Darrell Gates, Deputy Commissioner, Department of Employment Security, responded to questions of the Committee.

On a motion by Representative Leraudeau, seconded by Senator Bragdon, that the Committee approve the request of the Department of Resources and Economic Development to retroactively accept and expend \$744,000 in federal ARRA funds from October 1, 2010 through September 30, 2012 and further authorization for the Department of Employment Security to retroactively accept and expend \$744,000 in other ARRA funds, from the Department of Resources and Economic Development, from October 1, 2010 through September 30, 2012. MOTION ADOPTED. (8-Yes, 2-No)

CHAPTER 4:5, LAWS OF 2010, DEPARTMENT BUDGETS; TRANSFERS OF FEDERAL FUNDS:

**CONSENT CALENDAR**

At the request of Representative Weyler FIS 11-146 Department of Environmental Services was removed from the Consent Calendar.

On a motion by Senator Bragdon, seconded by Senator Gallus, that the Committee approve the remaining request on the agenda under this section as submitted. MOTION ADOPTED. [FIS 11-142 Department of Safety – authorization to transfer \$594,345 in federal funds through June 30, 2011]

FIS 11-146 Department of Environmental Services – Susan Carlson, Chief Operations Officer, Department of Environmental Services responded to questions of the Committee.

On a motion by Representative Stepanek, seconded by Representative Lerandean, that the Committee approve the request of the Department of Environmental Services to transfer \$129,963 in federal funds through June 30, 2011. MOTION ADOPTED.

RSA 9:17-d, TRANSFER OF APPROPRIATIONS, SUPREME COURT:

FIS 11-121 Administrative Office of the Courts – On a motion by Senator Bragdon, seconded by Senator Gallus, that the Committee approve the request of the Administrative Office of the Courts to transfer \$60,000. MOTION ADOPTED.

RSA 12-G:42, XI, PEASE DEVELOPMENT AUTHORITY, ADOPTION OF RULES:

FIS 11-122 Pease Development Authority – Geno Marconi, Director, Division of Ports and Harbors, Pease Development Authority, responded to questions of the Committee. Also present were Captain Richard Holt Jr. and Captain Christopher Holt with Portsmouth Pilots.

On a motion by Senator Morse, seconded by Representative Lerandean, that the Committee approve the request of the Pease Development Authority for approval of the proposed amendments to Pda 311.03 Pilotage Fees Based on Pilotage Unit Rates; Flat Fees relative to the setting of fees for Port Captains, Pilots and Pilotage. MOTION ADOPTED.

RSA 21-I:19-i, VI, FLEET EFFICIENCY AND REDISTRIBUTION:

FIS 11-136 Department of Administrative Services – On a motion by Representative Rodeschin, seconded by Representative Lerandean, that the Committee approve the request of the Department of Administrative Services for approval of its recommendation to deny the request of the Racing and Charitable Gaming Commission to purchase two (2) new replacement vehicles during the period of July 1, 2010 through April 18, 2011. MOTION ADOPTED.

RSA 21-P:23, HIGHWAY FUND SURPLUS:

FIS 11-143 Department of Safety – On a motion by Representative McGuire, seconded by Representative Lerandau, that the Committee approve the request of the Department of Safety to transfer \$23,000 in highway funds through June 30, 2011. MOTION ADOPTED.

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

FIS 11-135 Department of Resources and Economic Development – On a motion by Representative McGuire, seconded by Senator Morse, that the Committee table the request of the Department of Resources and Economic Development for approval of rate changes for Cannon Mountain Aerial Tramway and the Flume Gorge (summer 2011) and the primary winter 2011/2012 products for Cannon Mountain Aerial Tramway and Ski Area and further requests approval of the 2011/2012 Cannon Mountain Winter Special Use Policy. MOTION ADOPTED. (8-Yes, 2-No)

RSA 228:12, TRANSFERS FROM HIGHWAY SURPLUS ACCOUNT:

FIS 11-144 Department of Transportation – Patrick McKenna, Director of Finance, Department of Transportation responded to questions of the Committee.

On a motion by Representative Lerandau, seconded by Senator Bragdon, that the Committee approve the request of the Department of Transportation to transfer \$550,000 from Highway Surplus to fund increases in vehicle fuel purchases. MOTION ADOPTED. (9-Yes, 1-No)

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

FIS 11-135 Department of Resources and Economic Development – On a motion by Senator Bragdon, seconded by Senator Morse, that the Committee remove the item from the table pertaining to the request of the Department of Resources and Economic Development for approval of rate changes for Cannon Mountain Aerial Tramway and the Flume Gorge (summer 2011) and the primary winter 2011/2012 products for Cannon Mountain Aerial Tramway and Ski Area and approval of the 2011/2012 Cannon Mountain Winter Special Use Policy. MOTION FAILED. (4-Yes, 6-No) The item remained tabled.

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

FIS 11-126 Department of Health and Human Services – On a motion by Senator Bragdon, seconded by Representative McGuire, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$70,600 in federal funds through June 30, 2011. MOTION ADOPTED.

FIS 11-130 Department of Health and Human Services – Nicholas Toumpas, Commissioner, Department of Health and Human Services responded to questions of the Committee.

On a motion by Representative McGuire, seconded by Representative Lerandean, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$213,411 in federal funds through June 30, 2011. MOTION ADOPTED.

FIS 11-131 Department of Health and Human Services – On a motion by Senator Larsen, seconded by Representative McGuire, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$72,372 in federal funds through June 30, 2011. MOTION ADOPTED.

#### ARRA FUNDS

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

FIS 11-125 Department of Health and Human Services – On a motion by Senator Morse, seconded by Senator Odell, that the Committee approve the request of the Department of Health and Human Services to 1) accept and expend \$250,250 in federal funds and pending approval of Request #1, accept and expend \$1,903 in additional federal revenue and accept and expend \$1,901,509 in federal ARRA funds retroactive to July 1, 2010 through June 30, 2011. MOTION ADOPTED.

RSA 14:34 ASSISTANTS:

FIS 11-152 Office of Legislative Budget Assistant – On a motion by Representative Lerandean, seconded by Senator Morse, that the Committee approve the request of the Office of Legislative Budget Assistant to appoint Michael Kane as Deputy Legislative Budget Assistant, and to set his salary at letter grade P, step 4, effective May 6, 2011. MOTION ADOPTED.

MISCELLANEOUS:

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Single Audit of Federal Financial Assistance Programs For the Year Ended June 30, 2010 – Shawn Warren, KPMG Partner, and Karen Farrell, KPMG Senior Audit Manager, presented the report and responded to questions of the Committee.

This report was accepted, placed on file and released at the March 31, 2011 meeting of the Fiscal Committee.

State of New Hampshire, Department of Health and Human Services, Glencliff Home, Financial Audit Report For the Fiscal Year Ended June 30, 2010 – Richard Mahoney, Director of Audits, and Pamela Veeder, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Also present to respond to questions of the Committee was Todd Bickford, Administrator, Glencliff Home and Linda Hodgdon, Commissioner, Department of Administrative Services.

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

State of New Hampshire, Police Standards and Training Council, Financial Audit Report For the Six Months Ended December 31, 2010 – Richard Mahoney, Director of Audits, and Jean Mitchell, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Also present to respond to questions of the Committee was Benjamin Jean, Support Bureau Commander, Police Standards and Training Council.

On a motion by Representative Rodeschin, seconded by Representative Lerandeau, 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 Friday, June 17, 2011 at 10:00 a.m.

On a motion by Representative Rodeschin, seconded by Representative Stepanek, that the meeting adjourn. MOTION ADOPTED. (Whereupon the meeting adjourned at 12:21 p.m.)

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Representative Beverly Rodeschin, Clerk