

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES

February 1, 2013

The Fiscal Committee of the General Court met on Friday, February 1, 2013 at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Mary Jane Wallner, Chairman
Representative Ken Weyler, Clerk
Representative Peter Leishman
Representative Cindy Rosenwald
Representative Daniel Eaton
Senator Chuck Morse
Senator Bob Odell
Senator Jeanie Forrester
Senator Donna Soucy (Alternate)
Senator Andy Sanborn

Chairman Wallner opened the meeting at 10:06 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Eaton, seconded by Senator Morse, that the minutes of the December 21, 2012 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

FIS 12-359 McAuliffe-Shepard Discovery Center – request for approval of the business plan for the operation of the McAuliffe-Shepard Discovery Center. Tabled 12/21/12. No Action Taken.

NEW BUSINESS:

RSA 9:16-a TRANSFERS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator Morse, seconded by Representative Eaton, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 13-038 Department of Transportation – transfer \$150,000, FIS 13-039 Department of Transportation – transfer \$115,000]

RSA 9:16-c TRANSFER OF FEDERAL GRANT FUNDS:

CONSENT CALENDAR

On a motion by Representative Eaton, seconded by Representative Rosenwald, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 13-018 Department of Safety – transfer \$2,904,097, FIS 13-019 Department of Safety – transfer \$3,400]

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 Senator Morse FIS 13-040 Public Utilities Commission was removed from the Consent Calendar.

On a motion by Representative Eaton, seconded by Senator Morse, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 13-001 Department of Environmental Services – accept and expend \$750,000, FIS 13-003 Department of Safety – accept and expend \$156,000, FIS 13-008 Department of Environmental Services – accept and expend \$875,877, FIS 13-010 Department of Resources and Economic Development – authorization to 1) retroactively amend FIS 11-141, approved May 2, 2011, to extend the end date from September 30, 2012 to March 31, 2013 and 2) further authorization for the Department of Employment Security to retroactively amend FIS 11-141, approved May 2, 2011, to extend the end date from September 30, 2012 to March 31, 2013, FIS 13-011 Department of Safety – authorization to 1) amend FIS 12-272, approved September 14, 2012, by reallocating \$88 in federal funds through June 30, 2013 and, subject to approval of #1, further authorization to 2) accept and expend an additional \$152,741 in federal funds through June 30, 2013, FIS 13-022 Office of Energy and Planning – authorization to retroactively amend FIS 11-307, approved October 28, 2011, by extending the end date from September 29, 2012 to June 30, 2013, with no increase in funding, FIS 13-041 Department of Transportation – accept and expend \$250,000]

FIS 13-040 Public Utilities Commission – On a motion by Senator Morse, seconded by Representative Weyler, that the Committee table the request of the Public Utilities Commission to accept and expend \$2,663,089. MOTION ADOPTED.

Amy Ignatius, Chairman, Public Utilities Commission was present to offer additional information that might be useful to the Committee's understanding of the request if so requested.

RSA 124:15 POSITIONS RESTRICTED:

CONSENT CALENDAR

At the request of Representative Weyler FIS 13-024 Department of Justice was removed from the Consent Calendar.

FIS 13-024 Department of Justice – Ann Rice, Deputy Attorney General, and Rosemary Faretra, Director of Administration, Department of Justice, presented the request and responded to questions of the Committee.

The Senate requested to recess at 10:22 a.m. to caucus, and reconvened at 10:25 a.m.

On a motion by Senator Forrester, seconded by Senator Sanborn, that the Committee table the request of the Department of Justice to establish four (4) full-time temporary positions to consist of: an Attorney (unclassified), an Investigator (unclassified), a Managing Analyst-Financial (unclassified) and a Paralegal II (classified) through June 30, 2013 and further establish one (1) part-time temporary classified Legal Secretary III position through June 30, 2013.

A roll call was taken and the results were as follows:

Representative Wallner – No
Representative Rosenwald – No
Representative Eaton – No
Representative Leishman – Yes
Representative Weyler – Yes
Senator Morse – Yes
Senator Odell – Yes
Senator Forrester – Yes
Senator Soucy – Yes
Senator Sanborn – Yes

(7-Yes; 3-No) 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

On a motion by Representative Eaton, seconded by Representative Rosenwald, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 13-009 Department of Information Technology – authorization to 1) accept and expend \$220,200 in other funds through June 30, 2013, and further authorization to 2) establish consultant positions through June 30, 2013, FIS 13-023 Department of Safety – authorization to 1) amend FIS 09-347, approved October 20, 2009, and subsequently amended on February 18, 2011 (FIS 11-057) and May 21, 2012 (FIS 12-168) by reallocating \$29,300 in federal ARRA funds and extending the end date from February 28, 2013 to June 30, 2013, and further authorization to 2) amend FIS 09-347, approved October 20, 2009, and subsequently amended on February 18, 2011 (FIS 11-057) and May 21, 2012 (FIS 12-168) by extending the end date of one (1) full-time temporary Pharmacist/Compliance Investigator position from February 28, 2013 to June 30, 2013, FIS 13-042 Department of Information Technology – authorization to 1) accept and expend \$295,000 in other funds through June 30, 2013 and further authorization to 2) establish consultant positions through June 30, 2013, FIS 13-046 Department of Transportation – authorization to 1) accept and expend \$4,650,000 in federal funds through June 30, 2013 and further authorization to 2) establish consultant position through June 30, 2013]

RSA 124:15 POSITIONS RESTRICTED AND RSA 228:12 TRANSFERS FROM HIGHWAY SURPLUS ACCOUNT:

FIS 13-047 Department of Transportation – On a motion by Senator Morse, seconded by Senator Odell, that the Committee table the request of the Department of Transportation to 1) establish a consultant position through June 30, 2013 and further authorization to 2) transfer \$37,363 from Highway Surplus through June 30, 2013. MOTION ADOPTED.

RSA 7:12, I, ASSISTANTS:

FIS 13-020 Department of Justice – On a motion by Representative Leishman, seconded by Senator Soucy, that the Committee approve the request of the Department of Justice to accept and expend a sum not to exceed \$850,000 from funds not otherwise appropriated for the purpose of covering projected shortfalls in the general litigation expenses incurred in the defense of the State and the prosecution of criminal law through June 30, 2013. MOTION ADOPTED.

RSA 21-I:19-g, III, USE OF STATE-OWNED VEHICLES:

FIS 13-021 Department of Administrative Services – Linda Hodgdon, Commissioner, and Tara Merrifield, Senior Management Analyst, Division of Fixed and Mobile Assets, Department of Administrative Services presented the request and responded to questions of the Committee. John Beardmore, Director of Administration, Department of Safety was also present to respond to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Weyler, that the Committee approve the request of the Department of Administrative Services for agency waivers to retain state-owned passenger vehicles which fall below the break-even mileage for FY 2012. MOTION ADOPTED.

RSA 106-H:9.I.(e), FUNDING; FUND ESTABLISHED:

FIS 13-002 Department of Safety – On a motion by Representative Eaton, seconded by Senator Forrester, that the Committee approve the request of the Department of Safety to transfer \$100,000 of the prior year carry forward balance in the E911 System Fund through June 30, 2013. MOTION ADOPTED.

RSA 228:12 TRANSFERS FROM HIGHWAY SURPLUS ACCOUNT:

FIS 13-005 Department of Transportation – On a motion by Senator Morse, seconded by Senator Sanborn, that the Committee table the request of the Department of Transportation to transfer \$149,922 in highway funds through June 30, 2013. MOTION ADOPTED.

FIS 13-025 Department of Transportation – On a motion by Senator Morse, seconded by Representative Leishman, that the Committee table the request of the Department of Transportation to transfer \$1,455,332 in highway funds through June 30, 2013. MOTION ADOPTED.

RSA 604-A:1-b ADDITIONAL FUNDING:

FIS 13-026 Judicial Council – On a motion by Representative Eaton, seconded by Senator Soucy, that the Committee approve the request of the Judicial Council to receive \$400,000 in additional general funds from funds not otherwise appropriated through June 30, 2013. MOTION ADOPTED.

CHAPTER 155:1, LAWS OF 2012, DEPARTMENT OF CORRECTIONS; TRANSFERS:

FIS 13-027 Department of Corrections – On a motion by Representative Leishman, seconded by Representative Eaton, that the Committee approve the request of the Department of Corrections to transfer \$40,000 in general funds to cover projected shortfalls for the remainder of SFY 2013. MOTION ADOPTED.

CHAPTER 224:14, II, LAWS OF 2011, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 13-004 Department of Health and Human Services – On a motion by Senator Morse, seconded by Representative Rosenwald, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$100,000 in general funds from funds not otherwise appropriated through June 30, 2013. MOTION ADOPTED.

FIS 13-013 Department of Health and Human Services – On a motion by Senator Morse, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$72,573 in federal funds through June 30, 2013. MOTION ADOPTED.

FIS 13-028 Department of Health and Human Services – On a motion by Representative Rosenwald, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$293,169 in federal funds through June 30, 2013. MOTION ADOPTED.

FIS 13-029 Department of Health and Human Services – Nicholas Toumpas, Commissioner, and Shanthi Venkatesan, Director, Division of Reorganization Planning, Department of Health and Human Services, presented the request and responded to questions of the Committee.

The Senate requested to recess at 10:50 a.m. to caucus, and reconvened at 10:57 a.m.

On a motion by Representative Rosenwald, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$4,500,000 in federal funds through June 30, 2013.

A roll call was taken and the results were as follows:

Representative Wallner – Yes
Representative Rosenwald – Yes
Representative Eaton – Yes
Representative Leishman – Yes
Representative Weyler – No
Senator Morse – Yes
Senator Odell – Yes
Senator Forrester – Yes

Senator Soucy – Yes
Senator Sanborn – No

(8-Yes; 2-No) MOTION ADOPTED.

FIS 13-043 Department of Health and Human Services – Nicholas Toumpas, Commissioner, Department of Health and Human Services presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Leishman, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$94,217 in federal funds through June 30, 2013. MOTION ADOPTED. (7-Yes, 3-No)

CHAPTER 224:14, II AND III, LAWS OF 2011, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 13-030 Department of Health and Human Services – On a motion by Senator Morse, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to transfer \$1,663,148 in general funds and decrease related revenue adjustments of (\$647,578) in federal funds and increase revenue adjustments of \$13,191 in other funds through June 30, 2013. MOTION ADOPTED.

FIS 13-031 Department of Health and Human Services – On a motion by Senator Morse, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to transfer \$22,053,109 in general funds and decrease related revenue adjustments of (\$7,087,447) in federal funds and decrease revenue adjustments of (\$1,173,883) in other funds through June 30, 2013. MOTION ADOPTED.

FIS 13-032 Department of Health and Human Services – On a motion by Senator Morse, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to transfer \$488,704 in general funds and decrease related revenue adjustments of (\$125,731) in federal funds and increase revenue adjustments of \$34,586 in other funds through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:85, I, LAWS OF 2011, DEPARTMENT OF ADMINISTRATIVE SERVICES; CONSOLIDATION OF CERTAIN BUSINESS PROCESSING FUNCTIONS:

FIS 13-044 Department of Administrative Services – On a motion by Representative Eaton, seconded by Senator Morse, that the Committee approve the request of the Department of Administrative Services to transfer and reallocate \$468,955 for personnel from the Departments of; Justice, Employment Security, Fish and Game, Resources and Economic Development, Education, and Corrections to the Department of Administrative Services to establish a Shared Services Center for the consolidation of business processing within state government, through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:210, LAWS OF 2011, DEPARTMENT OF INFORMATION TECHNOLOGY;
TRANSFERS AMONG ACCOUNTS:

FIS 13-045 Department of Information Technology – On a motion by Representative Eaton, seconded by Senator Morse, that the Committee approve the request of the Department of Information Technology to transfer \$354,214 in other funds through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:371, LAWS OF 2011, TRANSFER OF FUNDS:

FIS 13-014 Department of Administrative Services – On a motion by Representative Leishman, seconded by Representative Eaton, that the Committee approve the request of the Department of Administrative Services to transfer \$72,774 in general funds and \$245,617 in other funds, for a total of \$318,391 through June 30, 2013. MOTION ADOPTED.

MISCELLANEOUS:

Jeffry Pattison, Legislative Budget Assistant, requested Committee approval to fill a vacancy in the Office of Legislative Budget Assistant, Budget Office and further authority to fill one (1) vacancy in the Audit Division.

On a motion by Representative Eaton, seconded by Representative Rosenwald, that the Committee approve the request of the Legislative Budget Assistant to fill a vacancy in the Office of Legislative Budget Assistant, Budget Office and further approval to fill one (1) vacancy in the Audit Division. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Comprehensive Annual Financial Report, For Fiscal Year 2012 – Richard Mahoney, Director of Audits, Office of Legislative Budget Assistant, Greg Driscoll, KPMG Partner, and Scott Warnetski, KPMG Senior Audit Manager, Linda Hodgdon, Commissioner, and Edgar Carter, Comptroller, Department of Administrative Services, presented the report and responded to questions of the Committee.

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

The Unique College Investing Plan, Annual Report, September 30, 2012 and The Fidelity Advisor 529 Plan, Annual Report, September 30, 2012 – Catherine Provencher, State Treasurer, and Rachael Bradley, representing PricewaterhouseCoopers, presented the report and responded to questions of the Committee.

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

State of New Hampshire, Department of Transportation, Turnpike System, Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2012 – 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 were Patrick McKenna, Director of Finance, and Leonard Russell, Administrator of Financial Reporting, Department of Transportation, to respond to questions of the Committee.

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


New Hampshire Lottery Commission, A Department of the State of New Hampshire, Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2012 – Richard Mahoney, Director of Audits, and Elizabeth Bielecki, Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Also present were Charles McIntyre, Executive Director, and Cassie Strong, Chief Accountant, New Hampshire Lottery Commission to respond to questions of the Committee.

On a motion by Representative Weyler, 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 will be Friday, March 8, 2013 at 10:00 a.m.

On a motion by Representative Eaton, seconded by Representative Rosenwald, that the meeting adjourn. (Whereupon the meeting adjourned at 12:06 p.m.)



Representative Ken Weyler, Clerk