

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
May 29, 2008

The Fiscal Committee of the General Court met on Thursday, May 29, 2008 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 Daniel Eaton, Alternate
Representative Frederick King
Representative Peter Franklin
Representative Kenneth Weyler, Alternate
Senator Lou D'Allesandro
Senate President Sylvia Larsen
Senator Kathleen Sgambati
Senator Theodore Gatsas
Senator John Gallus

Chairman Smith opened the meeting at 9:10 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the minutes of the April 29, 2008 and May 5, 2008 meetings be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

FIS 07-111 Department of Health and Human Services, Office of Medicaid Business and Policy – for authorization to clarify physician services reimbursements to comply with recent instructions from the federal Centers for Medicare and Medicaid Services (CMS). **Tabled 4/19/07 and 5/15/07.** No action taken.

FIS 07-238 Department of Health and Human Services – authorization to complete the bid process for the GraniteCare Selective Contracting Program. **Tabled 7/24/07.**

On a motion by Senator Gatsas, seconded by Senator Gallus, to remove this item from the table.

A roll call was requested by Senator Gatsas and the results were as follows:

Representative Smith – No
Representative Kurk – Yes
Representative King – No
Representative Franklin – No
Representative Eaton – No

Senator D'Allesandro – No
Senator Larsen – No
Senator Sgambati – No
Senator Gatsas – Yes
Senator Gallus – Yes

(3-Yes; 7-No) MOTION FAILED.

FIS 07-360 Department of Health and Human Services – requests approval of one of four options for a new rate structure for pediatric specialty care **Tabled 11/14/07**. Replacement Item submitted for approval of one of five options for a new rate structure for pediatric specialty care. **Tabled 12/13/07**. No action taken.

FIS 08-130 Department of Health and Human Services – authorization to revise the reimbursement rate paid to non-critical access hospitals for outpatient services from 81.24% of Medicare allowable costs to 62.82% of Medicare allowable costs retroactively to January 1, 2008 **Tabled 4/29/08**. No action taken.

RSA 9:16-a, TRANSFERS AUTHORIZED:

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 08-156 Office of Energy and Planning – transfer \$750, FIS 08-165 Liquor Commission – transfer \$80,600, FIS 08-181 Department of Corrections – transfer \$727,580 and FIS 08-182 New Hampshire Fish and Game Department – transfer \$28,500]

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 08-157 Department of Environmental Services – accept and expend \$71,920.92, FIS 08-158 Department of Environmental Services – accept and expend \$465,097, FIS 08-159 Department of Resources and Economic Development – accept and expend \$292,369.65, FIS 08-166 Department of Environmental Services – accept and expend \$146,259, FIS 08-171 Department of Environmental Services – accept and expend \$70,000, FIS 08-172 Department of Justice – amend the grant award termination date from May 31, 2008 to May 31, 2009, with no increase in funding (approved FIS 06-305 October 18, 2006, subsequently amended FIS 07-190 June 28, 2007), FIS 08-173 Department of Justice – amend the grant award termination date from May 31, 2008 to May 31, 2009, with no increase in funding (approved FIS 07-113 April 19, 2007 and subsequently amended FIS 07-205 June 28, 2007), FIS 08-174 Department of Safety – amend the grant award by reallocating \$3,446 in federal funds through September 30, 2008 (approved FIS 07-084 April 19, 2007, subsequently amended FIS 07-196 June 28, 2007 and further amended FIS 07-285 October 17, 2007), FIS 08-175 Department of Safety – accept and expend \$348,763, FIS 08-176 Department of Transportation – accept and expend \$4,782,247, FIS 08-183 Department of Safety – accept and expend \$285,505.07]

RSA 124:15 POSITIONS RESTRICTED:

CONSENT CALENDAR

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request on the agenda under this section as submitted. MOTION ADOPTED. [FIS 08-185 Department of Safety – extend a Program Specialist IV position from June 30, 2008 to September 30, 2008 (approved FIS 06-229 August 8, 2006 and subsequently amended FIS 07-268 August 29, 2007)]

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

FIS 08-187 Administrative Office of the Courts – Dale Trombley, Fiscal Manager, Administrative Office of the Courts, Judicial Branch presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approved the request of the Administrative Office of the Courts to transfer \$17,000. 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 08-152 Department of Cultural Resources – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Cultural Resources to establish one (1) full-time temporary Library Associate I position through June 30, 2009 and further authorization to budget and expend \$87,839.21 in prior year unexpended federal funds. MOTION ADOPTED.

RSA 100-A:41-a, II SUPPLEMENTAL ALLOWANCES:

FIS 08-163 New Hampshire Retirement System – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee table the request of the New Hampshire Retirement System of actuarial certification of funds available in the respective member classifications “special account” for the purpose of determining COLA’s. MOTION ADOPTED.

RSA 206:33-b TRANSFERS FROM THE FISH AND GAME FUND:

FIS 08-153 New Hampshire Fish and Game Department – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the New Hampshire Fish and Game Department to transfer \$74,364. MOTION ADOPTED.

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

FIS 08-160 Department of Resources and Economic Development – Kenneth Plourde, Business Administrator, and John DeVivo, General Manager Franconia Notch State Park and Cannon Mountain, Department of Resources and Economic Development 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 Resources and Economic Development for rate changes for Cannon Mountain.

A roll call was requested by Senator Gatsas and the results were as follows:

Representative Smith – Yes
Representative Kurk – Yes
Representative King – Yes
Representative Franklin – Yes
Representative Eaton – Yes
Senator D'Allesandro – Yes
Senator Larsen – Yes
Senator Sgambati – Yes
Senator Gatsas – No
Senator Gallus – Yes

(9-Yes; 1-No) MOTION ADOPTED.

CHAPTER 262, LAWS OF 2007, DEPARTMENT OF CORRECTIONS, PAU 02-16-01-01
BUDGET FOOTNOTE:

FIS 08-184 Department of Corrections – William Wrenn, Commissioner, Gary Arceci, Administrator, Fiscal Management, and Dr. Robert MacLeod, Director of Medical and Forensic Services, Department of Corrections responded to questions of the Committee.

On a motion by Representative Kurk, seconded by Representative Eaton, that the Committee table the request of the Department of Corrections for additional funding in the amount of \$1,050,000 from the general fund to cover inmate medical and dental expenses through June 30, 2008. MOTION ADOPTED.

RSA 9:16-a, TRANSFERS AUTHORIZED:

CONSENT CALENDAR

On a motion by Representative Franklin, seconded by Representative Eaton, that the Committee reconsider FIS 08-181 Department of Corrections request to transfer \$727,580. MOTION ADOPTED.

On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Corrections to transfer \$727,580. MOTION ADOPTED.

CHAPTER 262, LAWS OF 2007, DEPARTMENT OF CORRECTIONS, PAU 02-16-01-01 BUDGET FOOTNOTE:

FIS 08-184 Department of Corrections – On a motion by Representative Eaton, seconded by Senator D'Allesandro, to remove this request from the table. MOTION ADOPTED.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Corrections for additional funding in the amount of \$1,050,000 from the general fund to cover inmate medical and dental expenses through June 30, 2008. MOTION ADOPTED.

CHAPTER 262:1, LAWS OF 2007, JUDICIAL COUNCIL, PAU 02-18-01 INDIGENT DEFENSE FOOTNOTE:

FIS 08-169 Judicial Council – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Judicial Council for additional funding in the amount of \$100,000 from the general fund through June 30, 2008. MOTION ADOPTED.

FIS 08-170 Judicial Council – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Judicial Council pending legislation for additional funding in the amount of \$120,000 from the general fund through June 30, 2008. MOTION ADOPTED.

CHAPTER 263:28, II, LAWS OF 2007, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS AND RSA 124:15 POSITIONS RESTRICTED:

FIS 08-178 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 \$132,217 in federal funds through June 30, 2009 and establish one (1) full-time temporary Administrator I position and one (1) full-time temporary Administrative Secretary. MOTION ADOPTED.

CHAPTER 263:28, II, LAWS OF 2007, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS AND RSA 186-C:20, II SPECIAL EDUCATION PROGRAM OF THE YOUTH SERVICES CENTER :

FIS 08-177 Department of Health and Human Services, Tobey School – 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, Tobey School, to accept and expend agency income in the amount of \$175,000 for renovations of space at the Thayer Building effective July 1, 2008 through June 30, 2009. MOTION ADOPTED. (8-Yes, 2-No)

CHAPTER 263:28, II AND III, LAWS OF 2007, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 08-167 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 transfer \$463,212 in general funds and decrease related revenue adjustments of (\$11,964) in federal funds and decrease revenue adjustments of (\$32,161) in other funds. MOTION ADOPTED.

FIS 08-168 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 transfer \$3,617,353 in general funds and increase related revenue adjustments of \$1,268,485 in federal funds and decrease revenue adjustments of (\$437,570) in other funds. MOTION ADOPTED.

FIS 08-179 Department of Health and Human Services – Nicholas Toumpas, Commissioner, and James Fredyma, Controller, Department of Health and Human Services 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 Health and Human Services to accept and expend \$985,000 in additional unrestricted revenue and further authorization to transfer \$2,181,613 in general funds and accept and expend \$2,185,976 in federal matching funds to the Provider Payments-Outpatient Hospital class line through June 30, 2008. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

MISCELLANEOUS:

The Chair announced that Representative King was resigning from the Fiscal Committee and that this was his last Fiscal Committee meeting.

ADJOURNMENT:

The next regular meeting of the Fiscal Committee was set for Tuesday, June 17, 2008 at 9:00 a.m. (Whereupon the meeting adjourned.)