

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES
June 12, 2002

The Fiscal Committee of the General Court met on Wednesday, June 12, 2002 at 9:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Neal Kurk, Chairman
Representative Kenneth Weyler, Clerk
Representative Keith Herman
Representative Beverly Rodeschin
Representative Mary Jane Wallner
Senator Arthur Klemm, Vice Chairman
Senator John Barnes
Senator Theodore Gatsas
Senator Beverly Hollingworth
Senator Caroline McCarley
Senator Jane O'Hearn

Chairman Kurk opened the meeting at 9:23 a.m.

RSA 9:16-b REDUCTIONS AUTHORIZED:

FIS 02-139 Office of the Governor - Governor Jeanne Shaheen and Linda Hodgdon, Budget Director presented Executive Order #2002-5 and responded to questions of the Committee.

On a motion by Representative Herman, seconded by Senator Klemm, that the Committee approve the Governor's request for the initiation of Executive Order #2002-5 "an order directing a reduction in Executive Branch expenditures" totaling \$15,213,922. MOTION ADOPTED.

OLD BUSINESS:

FIS 01-224 Letter from Senator Theodore Gatsas relative to the PUC's plan for the Statewide Low Income Electric Assistance Program - On a motion by Representative Weyler, seconded by Senator Barnes, that this request be removed from the table. MOTION ADOPTED.

Senator Gatsas addressed the Committee as Chairman of the Subcommittee of the Fiscal Committee appointed to review this program. Senator Gatsas also responded to questions of the Committee.

On a motion by Representative Weyler, seconded by Senator McCarley, that the Committee approve the plans for the administration of funds collected under the provisions of the electric utility restructuring orders, as specified in the Public Utilities Commission's Statewide Low-Income Electric Assistance Program, as set forth in DE 02-034 and Order No. 23,980. MOTION ADOPTED.

FIS 02-080 Department of Safety - Chairman Kurk noted that the Committee has received a letter from the Department of Safety requesting that this item be withdrawn.

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OLD BUSINESS (continued):

FIS 02-058 Department of Environmental Services - On a motion by Representative Rodeschin, seconded by Representative Weyler, that this request be removed from the table. MOTION ADOPTED.

Ruddy Cartier, Program Manager, Department of Environmental Services presented the request and responded to questions of the Committee.

On a motion by Representative Rodeschin, seconded by Senator Gatsas, that the Committee approve the request from the Department of Environmental Services to transfer \$19,500 in FY 2002 and \$38,100 in FY 2003. MOTION ADOPTED.

ACCEPTANCE OF MINUTES:

On a motion by Representative Rodeschin, seconded by Representative Weyler, that the minutes of the May 8, 2002 meeting be accepted as written. MOTION ADOPTED.

NEW BUSINESS:

RSA 9:16-a TRANSFER AND REDUCTIONS AUTHORIZED - CONSENT CALENDAR:

Chairman Kurk requested that FIS 02-136 from the Treasury Department be removed from the consent calendar as there were questions from Committee members.

On a motion by Senator Barnes, seconded by Representative Weyler, that the Committee approve all the requests listed on the agenda under this section as submitted, except FIS 02-136. MOTION ADOPTED. (FIS 02-117 and FIS 02-138)

FIS 02-136 Treasury Department - Michael Ablowich, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator McCarley, seconded by Representative Weyler, that the Committee approve the request from the Treasury Department to transfer \$579,868. MOTION ADOPTED.

RSA 124:15 POSITIONS RESTRICTED - CONSENT CALENDAR:

On a motion by Senator Klemm, seconded by Representative Weyler, that the Committee approve all the requests listed on the agenda under this section as submitted. MOTION ADOPTED. (FIS 02-107, FIS 02-135, FIS 02-113, FIS 02-128 and FIS 02-137)

CHAPTER 130:4, LAWS OF 2001 - OPERATING BUDGET:

FIS 02-125 Sweepstakes Commission - Rick Wisler, Executive Director and George Roy, Administrator presented the request and responded to questions of the Committee.

CHAPTER 130:4, LAWS OF 2001 - OPERATING BUDGET (continued):

On a motion by Senator Barnes, seconded by Representative Weyler, that the Committee approve the request from the Sweepstakes Commission for authority to purchase instant gaming tickets through June 30, 2003 in an amount not to exceed \$2,300,000. MOTION ADOPTED.

CHAPTER 130:1, LAWS OF 2001 - OPERATING BUDGET PAU 04-01-04-02, CLASS 09 AND RSA 9:16-a TRANSFER AND REDUCTIONS AUTHORIZED:

FIS 02-127 Department of Transportation - On a motion by Representative Weyler, seconded by Senator Klemm, that the Committee approve the request from the Department of Transportation to expend \$30,000 in excess general fund public works revenue and transfer \$96,000. MOTION ADOPTED.

CHAPTER 469:61 LAWS OF 1983 - CONTRACTED SERVICES:

FIS 02-124 Department of Corrections - Donald Veno, Director, Administration presented the request and responded to questions of the Committee.

On a motion by Representative Rodeschin, seconded by Senator Klemm, that this request be tabled. MOTION ADOPTED.

Chairman Kurk requested that the Subcommittee appointed previously, which consisted of Representative Weyler and Senator Barnes, reconvene to meet with the Department of Corrections officials to discuss this issue and report back to the full Committee.

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

FIS 02-115 Fish and Game Department - On a motion by Senator Klemm, seconded by Representative Weyler, that the Committee approve the request from the Fish and Game Department to transfer \$93,000 from the Fish and Game Operating Reserve. MOTION ADOPTED.

CHAPTER 130:12, LAWS OF 2001 - OPERATING BUDGET - TRANSFER OF FUNDS BY DIVISION FOR CHILDREN, YOUTH AND FAMILIES, CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND RSA 9:16-a TRANSFER AND REDUCTIONS AUTHORIZED:

FIS 02-119 Department of Health and Human Services, Division for Children, Youth & Families - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Representative Wallner, seconded by Senator O'Hearn, that the Committee approve the request from the Department of Health and Human Services, Division for Children, Youth & Families to transfer \$395,172 and accept and expend \$1,635,236 in federal funds. MOTION ADOPTED.

CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF HEALTH AND HUMAN SERVICES:

FIS 02-103 Department of Health and Human Services, Division of Elderly & Adult Services - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator McCarley, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Division of Elderly & Adult Services to accept and expend \$639,540 in federal funds. MOTION ADOPTED.

FIS 02-108 Department of Health and Human Services, Division for Children, Youth & Families - On a motion by Senator Barnes, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Division for Children, Youth & Families to accept and expend \$51,865 in federal funds. MOTION ADOPTED.

FIS 02-109 Department of Health and Human Services, New Hampshire Hospital - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Barnes, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, New Hampshire Hospital to accept and expend \$200,000 in New Hampshire Hospital Trust Funds. MOTION ADOPTED.

FIS 02-112 Department of Health and Human Services, Office of Community & Public Health - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Hollingworth, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Office of Community & Public Health to accept and expend \$338,759 in federal funds. MOTION ADOPTED.

FIS 02-116 Department of Health and Human Services, Office of Community & Public Health - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator McCarley, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Office of Community & Public Health to accept and expend \$307,887 in federal funds. MOTION ADOPTED.

FIS 02-118 Department of Health and Human Services, Division for Children, Youth & Families - On a motion by Senator Hollingworth, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Division for Children, Youth & Families to accept and expend \$886,734 in federal funds. MOTION ADOPTED.

CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF HEALTH AND HUMAN SERVICES (continued):

FIS 02-126 Department of Health and Human Services - On a motion by Senator Barnes, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services to extend "accept and expend" authority for funds from the Robert Wood Johnson Foundation from January 31, 2002 to June 30, 2003. MOTION ADOPTED.

FIS 02-120 Department of Health and Human Services, Division of Behavioral Health - On a motion by Senator McCarley, seconded by Representative Wallner, that the Committee approve the request from the Department of Health and Human Services, Division of Behavioral Health to accept and expend \$149,338 in federal funds. MOTION ADOPTED.

FIS 02-133 Department of Health and Human Services, Office of Finance - On a motion by Senator McCarley, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Office of Finance to extend "accept and expend" authority for funds from the Health Resources and Services Administration from June 30, 2002 to September 29, 2002. MOTION ADOPTED.

FIS 02-140 Department of Health and Human Services, Office of Health Planning and Medicaid - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Klemm, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Office of Health Planning and Medicaid to accept and expend \$531,810 in federal funds and \$74,000 in private funds. MOTION ADOPTED.

FIS 02-141 Department of Health and Human Services, Office of Application Management - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Hollingworth, seconded by Representative Wallner, that the Committee approve the request from the Department of Health and Human Services, Office of Application Management to accept and expend \$2,974,196 in federal funds. MOTION ADOPTED.

FIS 02-142 Department of Health and Human Services, Office of Community & Public Health - On a motion by Senator Hollingworth, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Office of Community & Public Health to accept and expend \$29,346 in federal funds. MOTION ADOPTED.

FIS 02-144 Department of Health and Human Services, Office of Community & Public Health - On a motion by Senator McCarley, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Office of Community & Fiscal Committee Minutes
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HEALTH AND HUMAN SERVICES (continued):

Public Health to extend "accept and expend" authority for funds from the Social Security Administration from June 30, 2002 to June 30 2003 and accept and expend \$19,100 in federal funds. MOTION ADOPTED.

CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF HEALTH AND HUMAN SERVICES AND RSA 9:16-a TRANSFER AND REDUCTIONS AUTHORIZED:

FIS 02-129 Department of Health and Human Services - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Representative Wallner, seconded by Senator Hollingworth, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$47,500 in other funds and transfer \$1,078,380. MOTION ADOPTED.

FIS 02-130 Department of Health and Human Services - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Hollingworth, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$146,648 in federal funds and \$10,883 in other funds and transfer \$357,686. MOTION ADOPTED.

FIS 02-131 Department of Health and Human Services - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Hollingworth, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$112,535 in other funds and transfer \$576,447. MOTION ADOPTED

FIS 02-132 Department of Health and Human Services, Office of Application Management - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator McCarley, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Office of Application Management to accept and expend \$8,758,006 in federal funds and transfer \$2,719,163. MOTION ADOPTED

CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF HEALTH AND HUMAN SERVICES AND RSA 124:15 POSITIONS RESTRICTED:

FIS 02-110 Department of Health and Human Services, Office of Community & Public Health - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

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CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF HEALTH AND HUMAN SERVICES AND RSA 124:15 POSITIONS RESTRICTED

(continued):

On a motion by Senator Hollingworth, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Office of Community & Public Health to accept and expend \$127,405 in federal funds and establish a Systems Development Specialist II position through June 30, 2003. MOTION ADOPTED.

FIS 02-111 Department of Health and Human Services, Division of Child Support Services - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Hollingworth, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Division of Child Support Services to accept and expend \$312,707 in child support incentive funds and \$607,628 in federal funds and establish a Secretary II position through June 30, 2003. MOTION ADOPTED.

FIS 02-121 Department of Health and Human Services, Office of Community & Public Health - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Hollingworth, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Office of Community & Public Health to accept and expend \$53,800 in federal funds and establish a Program Specialist III position through June 30, 2003. MOTION ADOPTED.

FIS 02-123 Department of Health and Human Services, Office of Community & Public Health - On a motion by Senator Hollingworth, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Office of Community & Public Health to accept and expend \$182,934 in federal funds and continue two (2) Program Planner III positions through June 30, 2003. MOTION ADOPTED.

FIS 02-143 Department of Health and Human Services, Office of Community & Public Health - On a motion by Senator Hollingworth, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services, Office of Community & Public Health to accept and expend \$79,924 in federal funds and continue a Business Systems Analyst I position through June 30, 2003. MOTION ADOPTED.

CHAPTER 469:61 LAWS OF 1983 - CONTRACTED SERVICES:

FIS 02-134 Department of Health and Human Services - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

CHAPTER 469:61 LAWS OF 1983 - CONTRACTED SERVICES (continued):

On a motion by Senator McCarley, seconded by Representative Wallner, that the Committee approve the request from the Department of Health and Human Services to contract for a Medicaid Medical Director from account 010-090-6147-090, Provider Payments, in an amount not to exceed \$249,480. MOTION ADOPTED.

RSA 167:94,III - LONG TERM CARE ASSISTANCE FUND:

FIS 02-104 Department of Health and Human Services, Office of Family Services - On a motion by Senator McCarley, seconded by Senator Hollingworth, that the Committee approve the spending plan of \$1,778,228 for the Long-Term Care Assistance Fund for FY 2003, as requested by the Department of Health and Human Services, Office of Family Services, Division of Elderly & Adult Services. MOTION ADOPTED.

RSA 167:75,II GRANTS PROCESS; PURPOSE OF GRANTS:

FIS 02-114 Department of Health and Human Services - James Fredyma, Department of Health and Human Services and Donnalee Lozeau, Advisory Committee member presented the request and responded to questions of the Committee.

On a motion by Senator McCarley, seconded by Representative Wallner, that the Committee approve the request from the Department of Health and Human Services to award thirty-four (34) grants totaling \$1,670,550, from the interest earned on the Health Care Fund from July 1, 2002 through June 30, 2003, and extend the end dates of 8 grants with no additional funds requested. (A vote was not taken on this motion.)

On a motion by Representative Kurk, seconded by Representative Weyler, that the Committee amend and approve the request from the Department of Health and Human Services to award thirty-four (34) grants totaling \$1,670,550, but these funds should not exceed the interest earned in FY 2003, unexpended interest from FY 2002 not yet carried forward, and any matching federal funds, but not through a charge against the Health Care Fund principal, or any other future interest, or as an account receivable, or from the general fund, from the interest earned on the Health Care Fund from July 1, 2002 through June 30, 2003, and extend the end dates of 8 grants with no additional funds requested. MOTION ADOPTED.

LATE ITEMS:

FIS 02-145 Department of Health and Human Services, Office of Community & Public Health - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Barnes, seconded by Representative Weyler, that the Committee approve the request of the Department of Health and Human Services, Office of Community & Public Health to accept and expend \$7,752,976 in federal funds and establish twenty-eight (28)

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LATE ITEMS (continued):

positions through June 30, 2003. MOTION ADOPTED.

FIS 02-147 Department of Health and Human Services, Division of Alcohol and Drug Abuse Prevention and Recovery - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Barnes, seconded by Representative Weyler, that the Committee approve the proposed outcome measures for the performance review of services funded by the Division of Alcohol and Drug Abuse Prevention and Recovery. MOTION ADOPTED.

FIS 02-148 Department of Health and Human Services, Division of Elderly and Adult Services - Donald Shumway, Commissioner presented the request and responded to questions of the Committee.

On a motion by Senator Barnes, seconded by Senator McCarley, that the Committee approve the request from the Department of Health and Human Services, Division of Elderly and Adult Services to accept and expend \$12,512,500 in federal funds. MOTION ADOPTED.

INFORMATIONAL ITEMS:

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire Department of Revenue Administration Financial and Compliance Audit Report for the Year Ended June 30, 2001 and State of New Hampshire Sweepstakes Commission Management Letter For the Year Ended June 30, 2001 - On a motion by Representative Weyler, seconded by Representative Wallner, that these reports be accepted, placed on file and released in the usual manner, with a formal presentation at the next meeting of the Fiscal Committee. MOTION ADOPTED.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next meeting of the Fiscal Committee will be held on Wednesday, July 31, 2002 at 9:00 a.m. in the Legislative Office Building, Room 210-211. (A September 4th meeting date was also established.) (Whereupon the Committee adjourned.)

Representative Kenneth Weyler, Clerk