

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES

October 19, 2005

The Fiscal Committee of the General Court met on Wednesday, October 19, 2005 at 9:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Frederick King, Chairman  
Senator Charles Morse, Vice Chairman  
Representative Joseph Stone, Clerk  
Representative Elizabeth Hager  
Representative Mary Jane Wallner  
Representative Peter Franklin  
Representative Kenneth Weyler  
Senator Theodore Gatsas  
Senator Robert Clegg, Jr.  
Senator Richard Green  
Senator Lou D'Allesandro

Chairman King opened the meeting at 9:07 a.m.

LATE ITEMS:

FIS 05-220 Office of the Governor - Governor John Lynch addressed the Committee and presented a request for \$2,000,000 from funds not otherwise appropriated for the civil emergency due to recent flooding. John Dolan, Budget Director, Office of the Governor was also present to respond to questions.

On a motion by Representative Stone, seconded by Senator D'Allesandro, that the Committee approve the request from the Office of the Governor as presented.

On a motion by Senator Gatsas, seconded by Senator Clegg, that the motion be amended to have the \$2M in funds come from the highway fund.

Senator Gatsas requested that his amendment be removed and replaced with all funds deemed by FEMA as reasonable. Senator Clegg removed his seconding motion for the first amendment and seconded the second amendment, which would be that the funds would come out of money not otherwise appropriated, and the only money that we would loan to any community would be the money that would be reimbursable under the FEMA guidelines. MOTION ADOPTED.

FIS 05-216 Department of Safety, Division of Emergency Services, Communications and Management, Bureau of Emergency Management - Wes Colby, Director Administration presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Hager, that the Committee approve the request from the Department of Safety, Division of Emergency Services, Communications and Management, Bureau of Emergency Management to accept and expend \$10,000,000 from the Federal Emergency Management Agency. MOTION ADOPTED.

ACCEPTANCE OF MINUTES:

On a motion by Representative Stone, seconded by Senator D'Allesandro, that the minutes of the September 21, 2005 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

Update from Commissioner Murray on the Finance Director Position at the Department of Transportation - Edwin Smith, Director of Policy reported that the Finance Director position has been filled by Tom Martin who will begin work for the Department on October 24<sup>th</sup>.

Update from Commissioner Murray on the Status of the Highway Surplus Account - Catherine Provencher, Director of Audits, Office of Legislative Budget Assistant stated her Office is currently conducting an audit of the Department of Transportation. Ms. Provencher further stated she was not involved in the summer meetings between the LBA, Administrative Services, and the Department of Transportation that resulted in the informational item that is included on the agenda from Mr. Buckley.

Edwin Smith stated that Mr. Martin will be working with the LBA and Administrative Services and the work will be ongoing. Hopefully, the Department will have something to report at the next Fiscal Committee meeting in November.

OLD BUSINESS:

FIS 05-182 Department of Health and Human Services - Chapter 177:117, Laws of 2005 Rate Setting and Chapter 176, Laws of 2005 PAU 05-01-02-01-05 Provider Payments (Late Informational Item Tabled 9/21/05) - Commissioner John Stephen addressed the Committee and responded to questions.

On a motion by Senator Clegg, seconded by Senator Morse, that the Commissioner of the Department of Health and Human Services go with the second program that gives a 12 percent increase to primary care physicians. MOTION ADOPTED.

On a motion by Senator Morse, seconded by Senator D'Allesandro, that request FIS 05-182 be removed from the table. MOTION ADOPTED.

On a motion by Senator Morse, seconded by Senator D'Allesandro, that request FIS 05-182, an informational item. be accepted as presented. MOTION ADOPTED.

FIS 05-163 Department of Education - accept and expend \$403,226 and establish one Program Assistant I position through June 30, 2007 (Tabled 9/21/05) - This item was withdrawn at the request of the Commissioner of the Department of Education.

FIS 05-170 Department of Education - accept and expend \$2,341,248 (Tabled 9/21/05) - Commissioner Lyonel Tracy and Michael Bieniek presented additional information to the Committee and responded to

questions.

On a motion by Senator D'Allesandro, seconded by Representative Hager, that requests FIS 05-170 and FIS 05-171 be removed from the table. MOTION ADOPTED.

Representative Franklin noted that last month the Committee was told there are 140 schools in need of improvement, and the Committee was sent a list of the schools, but there are only 71 schools listed. Representative Franklin asked how many schools, in fact, are in need of improvement. Commissioner Tracy stated he would provide this information to the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Stone, that the Committee approve the request from the Department of Education to accept and expend \$2,341,248. MOTION ADOPTED.

FIS 05-171 Department of Education (Tabled 9/21/05) - Additional information was distributed on this item.

On a motion by Senator Green, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Education to accept and expend \$1,043,249.67. MOTION ADOPTED.

RSA 9:16-a TRANSFER AUTHORIZED:

FIS 05-207 Department of Agriculture, Markets & Food - On a motion by Representative Hager, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Agriculture, Markets & Food to transfer \$11,000. MOTION ADOPTED.

RSA 124:15 POSITIONS RESTRICTED:

FIS 05-190 and FIS 191 Department of Resources and Economic Development, Division of Forests and Lands and - On a motion by Senator D'Allesandro, seconded by Representative Wallner, that the Committee approve both requests as submitted. MOTION ADOPTED.

CHAPTER 177:4,II, LAWS OF 2005 DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES TRANSFER AMONG ACCOUNTS:

FIS 05-197 Department of Health and Human Services, Division of Juvenile Justice Services - Commissioner Stephen presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Stone, that the Committee approve the request of the Department of Health and Human Services, Division of Juvenile Justice Services to accept and expend \$355,560. 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:

On a motion by Representative Hager, seconded by Senator D'Allesandro, that the Committee approve all the requests under this section of the agenda as submitted. 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 05-206 Office of the Adjutant General - On a motion by Senator D'Allesandro, seconded by Representative Wallner, that the Committee approve the request from the Office of the Adjutant General to accept and expend \$120,000 and establish an Engineering Technician V position through June 30, 2007. 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 CHAPTER 177:19, LAWS OF 2005 FEDERAL ASSISTANCE GRANT:

FIS 05-215 Department of Transportation - On a motion by Representative Hager, seconded by Representative Franklin, that the Committee approve the request from the Department of Transportation to accept and expend \$2,217,257.42. MOTION ADOPTED.

RSA 21-P:23 HIGHWAY FUND SURPLUS AND RSA 124:15 POSITIONS RESTRICTED:

FIS 05-214 Department of Safety - Wes Colby, Director of Administration presented the request and responded to questions of the Committee.

On a motion by Senator Green, seconded by Representative Stone, that the Committee approve the request from the Department of Safety to transfer \$78,178 from the highway surplus account and establish a Paralegal II position through June 30, 2007. MOTION ADOPTED.

RSA 215-A:23, IX REGISTRTRAIION FEES:

FIS 05-189 Department of Resources and Economic Development, Trails Bureau - Kenneth Plourde, Business Administrator presented the request and responded to questions of the Committee.

On a motion by Representative Hager, seconded by Representative Franklin, that the Committee approve the request from the Department of Resources and Economic Development, Trails Bureau for authorization to expend \$691,076 in excess FY 2005 OHRV registration fees. MOTION ADOPTED.

RSA 491-A:3 DISTRICT COURT JUSTICES; SALARIES AND RSA 491-A:4 PROBATE JUDGES SALARIES:

FIS 05-203 Administrative Office of the Courts - Donald Goodnow, Director and Dale Trombley, Fiscal Manager presented the proposed revisions to the weighted case loads and values used for calculating

annual salaries for part-time district and probate court justices appointed after July 1, 1987 in the district court, and after October 3, 19086 in the probate court.

On a motion by Senator Green, seconded by Senator D'Allesandro, that the proposal be tabled. MOTION ADOPTED.

MISCELLANEOUS:

Chairman King stated that he is in the process of having an lsr prepared regarding transfers that he signs that are under \$10,000. Chairman King stated he feels this is micromanaging agency heads and as long as the money is in their budgets they should be able to move it around within reason.

Commissioner Hill stated that he tracks all transfers and agencies are not allowed to transfer more than \$10,000 during a fiscal year.

INFORMATIONAL MATERIALS:

Senator Green requested that the following informational items be held and discussed further at the November meeting of the Fiscal Committee:

- Letter dated October 12, 2005 and attachments from Michael L. Buckley, Legislative Budget Assistant (Chapter 176:9,I, Laws of 2005) 90-day Report on Examination of the Accounting for the Financial Reporting of the Highway Fund
- FIS 05-195 Department of Health and Human Services (Chapter 176:15, Laws of 2005) Report on Administrative Contract Savings in FY 2006
- FIS 05-204 Department of Administrative Services (Chapter 319:32, Laws of 2003) Report on the Implementation of the State Employee Self-Insured Health Plan

The remainder of the informational items were accepted and placed on file.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next meeting of the Fiscal Committee is scheduled for Wednesday, November 16, 2005. (No future meeting dates have been set.)

(Whereupon the Committee adjourned.)

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Representative Joseph Stone, Clerk