

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES

December 16, 2008

The Fiscal Committee of the General Court met on Tuesday, December 16, 2008 at 9:00 a.m. in Room 201-203 of the Legislative Office Building.

Members in attendance were as follows:

Representative Marjorie Smith, Chairman  
Representative Daniel Eaton, Alternate  
Representative Robert Foose  
Representative Fran Wendelboe, Alternate  
Representative Beverly Rodeschin, Alternate  
Senator Lou D'Allesandro  
Senate President Sylvia Larsen  
Senator Kathleen Sgambati  
Senator John Gallus  
Senator Peter Bragdon

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

ORGANIZATION OF COMMITTEE:

On a motion by Senator Larsen, seconded by Senator Gallus, that Senator D'Allesandro be nominated as Vice Chairman of the Fiscal Committee.

No other nominations were received. The Chairman closed nominations and without the necessity of a vote Senator D'Allesandro was named Vice Chairman of the Fiscal Committee.

On a motion by Representative Foose, seconded by Senator D'Allesandro, that Representative Kurk be nominated as Clerk of the Fiscal Committee.

No other nominations were received. The Chairman closed nominations and without the necessity of a vote Representative Kurk was named Clerk of the Fiscal Committee.

RSA 14:30 APPOINTMENT AND COMPENSATION OF LEGISLATIVE BUDGET ASSISTANT:

On a motion by Senator D'Allesandro, seconded by Representative Foose, that Jeffrey A. Pattison be appointed as the Legislative Budget Assistant, pursuant to the provisions of RSA 14:30, for the next two years at Salary Grade R, Step 4. MOTION ADOPTED.

ADOPTION OF FISCAL COMMITTEE RULES AND PROCEDURES:

Chairman Smith requested that Jeffrey Pattison, Legislative Budget Assistant brief the Committee on the suggested motions that would continue the past practices of the Fiscal Committee.

On a motion by Senator Larsen, seconded by Representative Foose, that the Committee

accept the following past practices:

- That the Fiscal Committee require any requests made to the Fiscal Committee requesting new positions authorized by RSA 124:15, that extend beyond the current budgeted biennium, be amended to authorize them only through the end of the current biennium.
- That the Committee authorize the Chairman of the Fiscal Committee to have signature approval authority for transfers that are in accordance with RSA 9:16-a and less than \$25,000, and that the Legislative Budget Assistant be directed to prepare a report for the Fiscal Committee on a monthly basis on all such transfers which will be included on the agenda under informational materials.
- That any item listed on the Fiscal Committee agenda under RSA 9:16-a, Transfer Authorized, RSA 14:30-a, Acceptance and Expenditure of Funds Over \$50,000 from any Non-State Source and RSA 124:15, Positions Restricted, shall be placed on a consent calendar and voted on as a block. Any member may request that any item be removed from the consent calendar for further discussion and/or clarification prior to or during the Fiscal Committee meeting.
- Authorize the Legislative Budget Assistant to grant step increases for employees of the LBA Office on the employee's anniversary dates, and at such other times for exceptional service, as determined by the Legislative Budget Assistant. The Legislative Budget Assistant will inform the Fiscal Committee in writing, when these step increases have been granted. Further, when any LBA employee is promoted from one position to another, the Legislative Budget Assistant will seek approval from the Chairman of the Fiscal Committee, and hiring a new individual in the LBA Office would be brought before the full Fiscal Committee. MOTION ADOPTED.

Senator Sgambati requested as a procedural matter, for future submissions, that the agency include justification as to why the requested action has not been included in the budget.

ACCEPTANCE OF MINUTES:

On a motion by Senator D'Allesandro, seconded by Representative Wendelboe, that the minutes of the November 21, 2008 meeting be accepted as written. MOTION ADOPTED. (1 Abstain)

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 Senator D'Allesandro, seconded by Representative Wendelboe, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 08-359 Department of Resources and Economic Development – accept \$2,351,000 in federal grant funds on behalf of The Nature Conservancy, FIS 08-361 Department of Resources and Economic Development – accept and expend \$76,267, FIS 08-363 Department of Agriculture – accept and expend \$53,897 and FIS 08-364 Office of Energy and Planning – accept and expend \$40,304]

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 08-350 Department of Environmental Services – Thomas Burack, Commissioner, and Susan Carlson, Chief Financial Officer, Department of Environmental Services presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Foose, that the Committee approve the request of the Department of Environmental Services to accept and expend \$101,433 in federal flow through funds from the Department of Safety and further approve the request to retroactively amend the end date for an Environmentalist IV position from September 30, 2008 through June 30, 2009 (approved FIS 08-102 March 26, 2008). MOTION ADOPTED.

FIS 08-351 Department of Environmental Services – On a motion by Senator D'Allesandro, seconded by Representative Foose, that the Committee approve the request of the Department of Environmental Services to accept and expend \$68,000 in federal flow through funds from the Department of Transportation and further approve the request to establish an Environmentalist IV position through June 30, 2009. MOTION ADOPTED.

FIS 08-360 Department of Environmental Services – On a motion by Senator D'Allesandro, seconded by Representative Foose, that the Committee approve the request of the Department of Environmental Services to accept and expend \$99,200 in federal funds and further approve the request to establish an Environmentalist IV position through June 30, 2009. MOTION ADOPTED.

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

FIS 08-357 Department of Health and Human Services – On a motion by Senator D'Allesandro, seconded by Representative Wendelboe, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$40,166.26. 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:

EIS 08-352 Department of Health and Human Services – On a motion by Senator D'Allesandro, seconded by Representative Wendelboe, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$380,847 and further approve the request to establish four full-time temporary positions. MOTION ADOPTED.

LATE ITEM:

EIS 08-367 Department of Safety – On a motion by Senator D'Allesandro, seconded by Representative Foose, that the Committee approve the request of the Department of Safety to distribute \$140,632.02 in State Matching Funds for Federal Emergency Management Assistance Disaster Assistance Grants for the July 2008 Tornado. MOTION ADOPTED.

EIS 08-368 Office of Legislative Budget Assistant – Jeffrey Pattison, Legislative Budget Assistant, presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Foose, that the Committee approve the request of the Office of Legislative Budget Assistant, pursuant to the provisions of RSA 14:30 appoint Jack Dianis as Depute Legislative Budget Assistant and set his salary at letter Grade P, Step 7, effective December 16, 2008. MOTION ADOPTED.

MISCELLANEOUS:

Jeffrey Pattison, Legislative Budget Assistant, requested authority to distribute the FY 2008 State Comprehensive Annual Financial Report, the FY 2008 Turnpike System Comprehensive Annual Financial Report, the FY 2008 Annual Reports of the UNIQUE College Investing Plan, The Fidelity Advisor 529 Plan, and the New Hampshire Retirement System FY 2008 Comprehensive Annual Financial Report as soon as they are available in December.

On a motion by Senator D'Allesandro, seconded by Representative Foose, that the Committee approve the request of the Office of Legislative Budget Assistant to distribute the FY 2008 State Comprehensive Annual Financial Report, the FY 2008 Turnpike System Comprehensive Annual Financial Report, the FY 2008 Annual Reports of the UNIQUE College Investing Plan, The Fidelity Advisor 529 Plan, and the New Hampshire Retirement System FY 2008 Comprehensive Annual Financial Report as soon as they are available in December. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

ADJOURNMENT:

The next regular meetings of the Fiscal Committee were set for Friday, January 16, 2009 at 9:00 a.m. and Friday, February 13, 2009 at 9:00 a.m. (Whereupon the meeting adjourned.)

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Representative Neal Kurk, Clerk