

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES

October 16, 2015

The Fiscal Committee of the General Court met on Friday, October 16, 2015 at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Neal Kurk, Chair
Representative Ken Weyler
Representative Lynne Ober
Representative Daniel Eaton
Representative Katherine Rogers (Alternate)
Representative Richard Barry (Alternate)
Senator Jeanie Forrester
Senate President Chuck Morse
Senator Gerald Little
Senator Lou D'Allesandro
Senator Andy Sanborn

Chairman Kurk opened the meeting at 10:12 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator D'Allesandro, seconded by Representative Ober, that the minutes of the September 25, 2015 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

RSA 21-I:30, II MEDICAL AND SURGICAL BENEFITS:

FIS 15-201 Replacement Department of Administrative Services – On a motion by Representative Ober, seconded by Senator Forrester, that the item be removed from the table. MOTION ADOPTED.

Vicki Quiram, Commissioner, Catherine Keane, Director of Risk and Benefits, and Sarah Trask, Senior Financial Analyst, Department of Administrative Services responded to questions of the Committee.

On a motion by Senator Forrester, seconded by Representative Weyler, that the Committee table the request of the Department of Administrative Services for approval of plan design changes to the Retiree Health Benefit Plan effective January 1, 2016, and authority to increase the premium contribution for Under 65 (non-Medicare) retirees from 12.5% to 15% effective January 1, 2016, Tabled 9/25/15. MOTION ADOPTED. (8-Yes, 2-No)

CONSENT CALENDAR

Chairman Kurk announced all items on the Consent Calendar would be removed and voted on individually.

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE:

FIS 15-210 Office of Energy and Planning – Meredith Hatfield, Director, Office of Energy and Planning presented the request and responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Representative Barry, that the Committee approve the request of the Office of Energy and Planning to retroactively amend FIS 13-286, approved January 10, 2014, by extending the end date from June 30, 2015 to March 31, 2016, with no increase in funding. MOTION ADOPTED. (9-Yes, 1-No)

FIS 15-213 New Hampshire Fish and Game Department – Glenn Normandeau, Director, New Hampshire Fish and Game Department, responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Representative Barry, that the Committee approve the request of the New Hampshire Fish and Game Department to accept and expend \$595,800 in federal funds through June 30, 2016. MOTION ADOPTED. (9-Yes, 1-No)

FIS 15-214 New Hampshire Fish and Game Department – On a motion Senator D’Allesandro, seconded by Representative Barry, that the Committee approve the request of the New Hampshire Fish and Game Department to accept and expend \$174,570 in federal funds through December 31, 2016. MOTION ADOPTED.

FIS 15-215 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 Senator D’Allesandro, seconded by Representative Barry, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$2,231,951 in federal funds through September 29, 2016.

At the request of Representative Eaton a roll call was taken and the results were as follows:

Representative Kurk – No
Representative Eaton – Yes
Representative Rogers – Yes
Representative Weyler – Yes
Representative Barry – Yes
Senator Forrester – Yes

Senator Little – Yes
Senate President Morse – Not present for vote
Senator Sanborn – Yes
Senator D’Allesandro – Yes (8-Yes; 1-No)
MOTION ADOPTED.

FIS 15-216 Department of Justice – Ann Rice, Deputy Attorney General, and Kathleen Carr, Director of Administration, Department of Justice, presented the request and responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Sanborn, that the Committee approve the request of the Department of Justice to accept and expend \$5,940,633 in federal funds through June 30, 2017. MOTION ADOPTED.

FIS 15-217 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 accept and expend \$1,200,143 in federal funds through June 30, 2017. MOTION ADOPTED.

FIS 15-228 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. The Honorable Jacalyn Colburn, Presiding Judge, Hillsborough County Superior Court, Nashua, was also present.

On a motion by Senator D’Allesandro, seconded by Senator Sanborn, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$324,997 in federal funds through June 30, 2016. 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 AUTHORIZED:

FIS 15-218 Department of Safety – Elizabeth Bielecki, Director of Administration, and Major Russell Conte, Division of State Police, Department of Safety, 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 Safety to; 1) accept and expend \$165,714 in agency income through September 30, 2016, and 2) establish one (1) full-time temporary State Police Captain (LG 29) through September 30, 2016. MOTION ADOPTED. (8-Yes, 1 No)

FIS 15-224 Department of Health and Human Services – On a motion by Senator D’Allesandro, seconded by Senator Forrester, that the Committee approve the request of the Department of Health and Human Services to; 1) accept and expend \$1,038,641 in federal funds retroactive to July 1, 2015 through June 30, 2017, and contingent upon approval of #1, authorization to 2) establish five (5) full-time temporary positions through June 30, 2017

consisting of; a Toxicologist IV (LG 29), two (2) Toxicologist II (LG 23), a Public Health Program Manager (LG26), and a Program Specialist IV (LG 25). MOTION ADOPTED.

RSA 7:6-e DISPOSITION OF FUNDS OBTAINED BY THE ATTORNEY GENERAL:

FIS 15-211 Department of Justice – On a motion by Representative Ober, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Justice to retain \$789,846.82 in multistate settlement funds and request to expend the funds in support of the Department’s Consumer/Antitrust Bureau. MOTION ADOPTED.

RSA 7:12, I, ASSISTANTS:

FIS 15-212 Department of Justice – Ann Rice, Deputy Attorney General, and Kathleen Carr, Director of Administration, Department of Justice, responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Forrester, that the Committee approve the request of the Department of Justice to accept and expend a sum not to exceed \$600,000 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 matters through June 30, 2016. MOTION ADOPTED.

RSA 215-A:23, IX, AND RSA 215-C:39, X, REGISTRATION FEES:

FIS 15-226 New Hampshire Fish and Game Department – Glenn Normandeau, Director, New Hampshire Fish and Game Department, presented the request and 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 New Hampshire Fish and Game Department to transfer \$315,660 of unexpended funds from Excess Registration Fees to the Fish and Game OHRV Fiscal Year 2016 Operating Budget. MOTION ADOPTED.

RSA 622:28-a, V, INDUSTRIES INVENTORY ACCOUNT:

FIS 15-225 Department of Corrections – Doreen Wittenberg, Director of Administration, and Gary Arceci, Deputy Director of Administration, responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Representative Ober, that the Committee approve the request of the Department of Corrections to purchase a Refurbished M&R Renegade 4056 Flatbed Screen Printer in an amount not to exceed \$24,020 in other funds from the Correctional Industries’ Revolving Account through June 30, 2016. MOTION ADOPTED.

CHAPTER 276:29, LAWS OF 2015, DEPARTMENT OF TRANSPORTATION; TRANSFER OF FUNDS:

FIS 15-219 Department of Transportation – William Cass, Assistant Commissioner, and Marie Mullen, Director of Finance, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Forrester, that the Committee approve the request of the Department of Transportation to transfer \$1,500,000 between various accounts and classes through June 30, 2016. MOTION ADOPTED. (8-Yes, 1-No)

The Committee recessed at 12:40 p.m., and reconvened at 1:15 p.m.

10:30 a.m.
AUDITS:

State of New Hampshire, Health and Human Services, Division of Child Support Services, Performance Audit Report, October 2015 – Stephen Smith, Director of Audits, and Stephen Fox, Audit Supervisor, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Mary Weatherill, Director, Division of Child Support Enforcement, Department of Health and Human Services was present to respond to questions of the Committee.

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

State of New Hampshire, Department of Environmental Services, State-Owned Dams, Performance Audit Report, October 2015 – Stephen Smith, Director of Audits, and John Clinch, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Thomas Burack, Commissioner, and James Gallagher, Chief, Dam Bureau, Department of Environmental Services were present to respond to questions of the Committee.

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

State of New Hampshire, Department of Environmental Services, Water Division, Internal Control Review, Agency-Income Revenues, October 2015 – Stephen Smith, 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. Thomas Burack, Commissioner, and Susan Carlson, Chief Operating Officer, Department of Environmental Services were present to respond to questions of the Committee. Also present to respond to questions of the Committee was Gerard Murphy, State Comptroller, Department of Administrative Services.

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

DATE OF NEXT MEETING AND ADJOURNMENT

The Chair recessed the meeting until Tuesday, November 20, 2015 at 11:00 a.m. to continue Committee review of the Department of Administrative Services tabled item, FIS 15-201 Replacement.

The next regular meeting of the Fiscal Committee was set for 10:00 a.m. Friday, December 18, 2015. (Whereupon the meeting recessed at 2:50 p.m.)

Fiscal Committee Minutes
October 20, 2015

Chairman Kurk reconvened the October 16, 2015 meeting on Tuesday, October 20, 2015 at 11:00 a.m. with the following members in attendance:

Representative Neal Kurk, Chair
Representative Karen Umberger (Alternate)
Representative Lynne Ober
Representative Mary Jane Wallner
Representative Daniel Eaton
Representative Richard Barry (Alternate)
Senator Jeanie Forrester
Senate President Chuck Morse
Senator Gerald Little
Senator Lou D'Allesandro
Senator Andy Sanborn

Chairman Kurk opened the meeting at 11:18 a.m.

OLD BUSINESS:

RSA 21-I:30, II MEDICAL AND SURGICAL BENEFITS:

FIS 15-201 Replacement Department of Administrative Services – On a motion by Senator D'Allesandro, seconded by Representative Umberger, that the item be removed from the table. MOTION ADOPTED.

Meredith Telus, Budget Director, Office of The Governor, Vicki Quiram, Commissioner, Catherine Keane, Director of Risk and Benefits, and Sarah Trask, Senior Financial Analyst, Department of Administrative Services responded to questions of the Committee. Sue Wolfe, Express Scripts, and Steve Koon, Segal consultant, were also present.

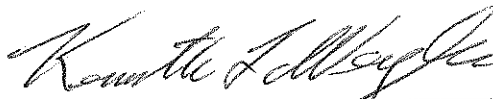
The Committee called a recess at 12:09 p.m. and reconvened at 12:56 p.m.

On a motion by Senator Forrester, seconded by Senator Little, that the Committee **amend** and approve the replacement request of the Department of Administrative Services of the **Pharmacy Plan Change Component only on Table 1 (Over 65) and Table 2 (Under 65)**, as specified in the request of September 22, 2015. MOTION ADOPTED. (7-Yes, 3-No)

On a motion by Representative Ober, seconded by Senator Sanborn, that the Committee tabled the remaining replacement requests of the Department of Administrative Services for the; Medical Plan Change Component Table 1 (Over 65) and Table 2 (Under 65), and the Premium Contribution Table 2 (Under 65). MOTION ADOPTED.

DATE OF NEXT MEETING AND ADJOURNMENT

A special meeting was set for Tuesday, November 3, 2015 at 10:00 a.m. regarding the Department of Administrative Services tabled item, FIS 15-201 Replacement. (Whereupon the meeting adjourned at 1:08 p.m.)



Representative Ken Weyler, Clerk