

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES  
June 24, 2016

The Fiscal Committee of the General Court met on Friday, June 24, 2016 at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Neal Kurk, Chairman  
Representative Ken Weyler  
Representative Lynne Ober  
Representative Mary Jane Wallner  
Representative Daniel Eaton  
Representative Richard Barry (Alternate)  
Senator Jeanie Forrester  
Senator Gary Daniels (Alternate)  
Senate President Chuck Morse  
Senator Andy Sanborn  
Senator Lou D'Allesandro

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

ACCEPTANCE OF MINUTES:

On a motion by Senator D'Allesandro, seconded by Representative Ober, that the minutes of the May 20, 2016 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

FIS 15-229 Department of Health and Human Services – authorization to implement the actions contained in the Cost Savings Plan to support the dual purposes within the Sununu Youth Services Center of providing both secure youth detention and psychiatric residential treatment. (FIS 15-229 Additional Information – Letter from Representative Kurk, dated November 18, 2015, containing two separate provisions relative to the funding of the Sununu Youth Services Center). Tabled 12/18/15. No Action Taken.

FIS 16-082 New Hampshire Liquor Commission – authorization to accept and expend \$249,270 in other funds through September 30, 2016. Tabled 05/20/16. No Action Taken.

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

CONSENT CALENDAR

At the request of the Committee items FIS 16-090 Department of Justice, FIS 16-091 and FIS 16-092 Department of Environmental Services, FIS 16-093 N.H. Liquor Commission, FIS

16-098 Department of Education, and FIS 16-104 Department of Administrative Services were removed from the Consent Calendar.

On a motion by Representative Ober, seconded by Senator Daniels, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 16-100 State Treasury – authorization to accept and expend \$500,000 in other funds through June 30, 2016, and FIS 16-107 Department of Health and Human Services – authorization to accept and expend \$941,245 in federal funds effective July 1, 2016 through June 30, 2017]

FIS 16-090 Department of Justice – Anne Edwards, Associate 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 Representative Ober, that the Committee approve the request of the Department of Justice to budget and expend \$59,313,582 in other funds through June 30, 2017. MOTION ADOPTED.

FIS 16-091 Department of Environmental Services – Susan Carlson, Chief Operations Officer, and Michael Wimsatt, Director of Waste Management Division, Department of Environmental Services, presented the request and responded to questions of the Committee.

On a motion by Representative Ober, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Environmental Services to accept and expend \$5,198,361 in other funds through June 30, 2017. MOTION ADOPTED.

FIS 16-092 Department of Environmental Services – Susan Carlson, Chief Operations Officer, Department of Environmental Services, presented the request and responded to questions of the Committee.

On a motion by Representative Ober, seconded by Senator Sanborn, that the Committee approve the request of the Department of Environmental Services to budget and expend \$50,000,000 in other funds through June 30, 2017. MOTION ADOPTED.

The Committee requested the Department provide the accounting history of these loan funds, in order to track where it comes from, where it goes, the rates, and the amounts of principal forgiveness issued.

FIS 16-093 New Hampshire Liquor Commission – James Wilson, Chief of Enforcement and Licensing, Lieutenant James Young, Enforcement and Licensing Division, and Joseph Mollica, Commissioner, New Hampshire Liquor Commission, responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Ober, that the Committee deny the request of the New Hampshire Liquor Commission to accept and expend \$109,692 in other funds through September 30, 2016. No action taken.

Representative's Eaton and Ober, respectively, withdrew the motion to deny the request of the New Hampshire Liquor Commission.

On a motion by Representative Eaton, seconded by Representative Ober, that the Committee table the request of the New Hampshire Liquor Commission to accept and expend \$109,692 in other funds through September 30, 2016. MOTION ADOPTED. (8-Yes, 2-No)

OLD BUSINESS (continued):

FIS 16-087 Department of Health and Human Services – Jeffrey Meyers, Commissioner, Department of Health and Human Services requested the Committee postpone the item until the next meeting.

On a motion by Senator Morse, seconded by Senator Daniels, that the Committee table the request of the Department of Health and Human Services to accept and expend \$8,298,168 in federal funds effective July 1, 2016 through December 31, 2016, which was postponed May 20, 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 (continued):

CONSENT CALENDAR

FIS 16-098 Department of Education – On a motion by Senator Forrester, seconded by Representative Weyler, that the Committee table the request of the Department of Education, contingent upon Fiscal Committee approval of FIS 16-087, authorization to accept and expend \$612,500 in other funds for the period of July 1, 2016 through December 31, 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:

CONSENT CALENDAR

FIS 16-099 New Hampshire Employment Security – On a motion by Representative Weyler, seconded by Senator Sanborn, that the Committee table the request of New Hampshire Employment Security, contingent upon Fiscal Committee approval of FIS 16-087, authorization to; 1) accept and expend \$477,930 in other funds through December 31, 2016, and 2) establish seven (7) full-time temporary positions consisting of; six (6) Employment Counselor Specialist (LG 19) and one (1) Program Specialist I (LG 19) for the period beginning July 1, 2016 through December 31, 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 (continued):

CONSENT CALENDAR

FIS 16-104 Department of Administrative Services – Michael Connor, Deputy Commissioner, Department of Administrative Services, responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Ober, that the Committee approve the request of the Department of Administrative Services to accept and expend \$100,000 in other funds through June 30, 2017. MOTION ADOPTED. (7-Yes, 3-No)

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:

CONSENT CALENDAR

FIS 16-108 Department of Health and Human Services – On a motion by Senator D’Allesandro, seconded by Representative Weyler, that the Committee approve the request of the Department of Health and Human Services to; 1) subject to approval of #2, retroactively amend FIS 15-172, approved August 26, 2015, by extending the end date from December 31, 2015 through June 30, 2017 for three (3) full-time temporary positions consisting of a; Senior Management Analyst, Program Planner III (Data Analyst) and Program Planner III (Communication Specialist), and 2) accept and expend \$294,310 in federal funds through June 30, 2017. MOTION ADOPTED.

RSA 124:15 POSITIONS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator D’Allesandro, seconded by Representative Weyler, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 16-094 Department of Administrative Services – authorization to establish one (1) temporary part-time Planning Analyst/Data Systems position for the period of July 1, 2016 through June 30, 2017]

CHAPTER 276:4, LAWS OF 2015, DEPARTMENT OF ADMINISTRATIVE SERVICES: TRANSFER AMONG ACCOUNTS AND CLASSES:

FIS 16-101 Department of Administrative Services – On a motion by Senator D’Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Administrative Services to transfer \$92,845 in general and other funds in and among accounting units through June 30, 2017. MOTION ADOPTED.

FIS 16-106 Department of Administrative Services – On a motion by Representative Ober, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Administrative Services to transfer \$50,000 in general funds in and among accounting units through June 30, 2016. MOTION ADOPTED.

CHAPTER 276:23, LAWS OF 2015, JUDICIAL BRANCH; TRANSFERS:

FIS 16-097 Administrative Office of the Courts – On a motion by Representative Weyler, seconded by Senator D’Allesandro, that the Committee approve the request of the Administrative Office of the Courts to transfer \$499,620 in general funds between expenditure classes through June 30, 2016. MOTION ADOPTED.

CHAPTER 276:143, LAWS OF 2015, DEPARTMENT OF HEALTH AND HUMAN SERVICES; TRANSFER AMONG ACCOUNTS AND RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE:

FIS 16-103 Department of Health and Human Services – On a motion by Senator D’Allesandro, seconded by Representative Weyler, that the Committee approve the request of the Department of Health and Human Services to transfer \$2,068,355 in general funds, increase related federal revenues in the amount of \$981,121, and increase related other revenues in the amount of \$187,640 through June 30, 2016. MOTION ADOPTED.

CHAPTER 276:219, LAWS OF 2015, DEPARTMENT OF CORRECTIONS; TRANSFERS:

FIS 16-102 Department of Corrections – Helen Hanks, Assistant Commissioner, Department of Corrections, 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 Corrections to transfer \$335,250 in general funds among accounts through June 30, 2016. MOTION ADOPTED.

The Committee requested the Department provide a breakdown on vacancy figures in regards to the number who retired versus the number who left for other job opportunities. The Committee also requested the total number of Corrections Officers, vacancies and overtime for the past five years.

LATE ITEM:

FIS 16-109 Department of Health and Human Services – Jeffrey Meyers, Commissioner, and Sheri Rockburn, Chief Financial Officer, Department of Health and Human Services presented the request and responded to questions of the Committee. Michael Kane, Legislative Budget Assistant, Anne Edwards, Associate Attorney General, and Nancy Smith, Senior

Assistant Attorney General, Department of Justice, also responded to questions of the Committee.

The Committee recessed at 12:40pm, and reconvened at 12:44pm.

On a motion by Senator D'Allesandro, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services to; 1) accept and expend \$15,899,592 in other funds through June 30, 2016, and 2) transfer \$7,904,402 in other funds, and accept and expend \$7,912,306 in federal funds through June 30, 2016. MOTION ADOPTED.

The Committee requested the Department provide an electronic version of the Preliminary Injunction. The Department of Justice offered to provide the Committee with copies of the briefs that have been filed in the summary judgment motions and the further pleadings. The Committee also requested if the hospitals might provide what the value is of Third Party payments.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

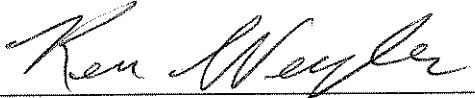
AUDITS:

On a motion by Representative Weyler, seconded by Representative Eaton, that the Committee accept the audit on the agenda, place on file, and release in the usual manner. MOTION ADOPTED.

State of New Hampshire, State Revolving Fund, Management Letter, For The Fiscal Year Ended June 30, 2015 – Stephen Smith, Director of Audits, and William Mitchell, Audit Supervisor, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Thomas Burack, Commissioner, and Susan Carlson, Chief Operations Officer, Department of Environmental Services, were present to respond to questions of the Committee. Tracy Wood, Administrator, Waste Water Engineering Bureau, Department of Environmental Services was also present to respond to questions.

DATE OF NEXT MEETING:

The next regular meeting of the Fiscal Committee was previously set for Friday, August 5, 2016 at 10:00 a.m. (Whereupon the meeting adjourned at 1:23 p.m.)

  
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Representative Ken Weyler, Clerk