

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES  
May 15, 2009

The Fiscal Committee of the General Court met on Friday, May 15, 2009 at 9:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Marjorie Smith, Chairman  
Representative Neal Kurk  
Representative Sharon Nordgren  
Representative Daniel Eaton, Alternate  
Representative Douglas Scamman  
Representative Fran Wendelboe, Alternate  
Senator Lou D'Allesandro  
Senator Bette Lasky, Alternate  
Senator Kathleen Sgambati  
Senator Peter Bragdon  
Senator John Gallus

Chairman Smith opened the meeting at 9:02 a.m.

MISCELLANEOUS:

Linda Hodgdon, Commissioner, and Monica Ciolfi, Administrator, Risk Management Unit, Department of Administrative Services, presented an explanation and handouts on the prescription drug plan benefit for state employees and retired state employees and responded to questions of the Committee.

ACCEPTANCE OF MINUTES:

On a motion by Representative Eaton, seconded by Representative Kurk, that the minutes of the April 17, 2009 meeting be accepted as written. MOTION ADOPTED.

RSA 14:30-a, III AUDIT TOPIC RECOMMENDATION BY LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE:

EIS 09-183 Letter from Representative Anne-Marie Irwin, Chairman of the Legislative Performance Audit and Oversight Committee – On a motion by Senator D'Allesandro, seconded by Representative Nordgren, that the Committee approve the recommendation of the Legislative Performance Audit and Oversight Committee for the following performance audit topics; the Fuel Oil Discharge Cleanup Fund, administered by the Oil Fund Disbursement Board and the Plumbers Licensing Board. MOTION ADOPTED.

RSA 9:16-a, TRANSFERS AUTHORIZED:

**CONSENT CALENDAR**

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 09-126 Department of Safety – transfer \$65,000, FIS 09-152 Liquor Commission – transfer \$60,000, FIS 09-156 Office of The Adjutant General – transfer \$105,481.69, FIS 09-157 Office of The Adjutant General – transfer \$78,600, FIS 09-158 Department of Administrative Services – transfer \$70,903, FIS 09-159 Department of Administrative Services – transfer \$132,000, FIS 09-160 Department of Safety – transfer \$18,000, FIS 09-161 New Hampshire Retirement System – transfer \$80,000, FIS 09-176 Department of Safety – transfer \$4,000]

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**

FIS 09-137 Department of Safety – A handout containing additional information was presented to the Committee.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 09-128 Department of Safety – authorization to retroactively amend the grant award termination date from January 31, 2009 to June 30, 2009, with no increase in funding (approved FIS 08-005 January 15, 2009) and further authorization to accept and expend \$21,756.10 in federal funds, FIS 09-137 Department of Safety – accept and expend \$2,156,030.81, FIS 09-138 Department of Safety – accept and expend \$1,280,209, FIS 09-149 Department of Environmental Services – accept and expend \$57,700, FIS 09-153 Department of Safety – authorization to amend FIS 08-234, approved September 10, 2008, by reallocating \$1,500 in other funds, FIS 09-172 Department of Transportation – accept and expend \$392,000, FIS 09-174 Department of Resources and Economic Development – accept and expend \$135,267.73, FIS 09-175 Department of Resources and Economic Development – accept and expend \$54,728.94, FIS 09-177 Department of Safety – authorization to amend FIS 09-010, approved January 16, 2009, by reallocating \$25,248.99 in federal grant funds, FIS 09-179 Department of Safety – authorization to amend FIS 09-036, approved February 13, 2009, to accept and expend \$340,476 in federal Hazard Mitigation Grant Program funds]

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$50,000 FROM ANY NON-STATE SOURCE:

**ARRA FUNDS CONSENT CALENDAR**

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 09-151 Department of Transportation – accept and expend \$1,000,000 in federal ARRA funds through February 16, 2011, FIS 09-162 Department of Environmental Services – accept and expend \$1,286,000 in federal ARRA funds through September 30, 2011, FIS 09-163 Department of Transportation – accept and expend \$4,600,000 in federal ARRA funds through February 16, 2011, FIS

09-184 Department of Environmental Services – accept and expend \$395,600 in federal ARRA funds through August 17, 2011]

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

**ARRA FUNDS CONSENT CALENDAR**

On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [EIS 09-139 Department of Health and Human Services – accept and expend \$634,393.76 in additional federal ARRA funds and decrease revenue adjustments to the general fund in the amount of \$633,760 retroactive to October 1, 2008 through June 30, 2009, EIS 09-140 Department of Health and Human Services – accept and expend \$452,033.58 in federal ARRA funds and decrease revenue adjustments to the general fund in the amount of \$451,582 retroactive to October 1, 2008 through June 30, 2009, EIS 09-145 Department of Health and Human Services – accept and expend \$282,159 in federal ARRA funds and decrease revenue adjustments to the general fund in the amount of \$281,877 retroactive to October 1, 2008 through June 30, 2009, EIS 09-146 Department of Health and Human Services – accept and expend \$6,584,636 in federal ARRA funds and decrease revenue adjustments to the general fund in the amount of \$6,578,051 retroactive to October 1, 2008 through June 30, 2009, EIS 09-147 Department of Health and Human Services – accept and expend \$433,645.32 in federal ARRA funds retroactive to October 1, 2008 through June 30, 2009, EIS 09-148 Department of Health and Human Services – accept and expend \$1,201,200 in federal ARRA funds retroactive to October 1, 2008 through June 30, 2009, EIS 09-185 Department of Health and Human Services – accept and expend \$2,236,379.15 in additional federal ARRA funds and decrease revenue adjustments to the general fund in the amount of \$2,234,145 retroactive to October 1, 2008 through June 30, 2009, EIS 09-186 Department of Health and Human Services – accept and expend \$4,177,642.51 in federal ARRA funds and decrease the general fund in the amount of \$4,173,464.51 retroactive to October 1, 2008 through June 30, 2009 and further authorization to accept and expend \$750,750 in federal ARRA funds and make use of \$657,000 in general funds generated by the previous action]

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:

**ARRA FUNDS**

EIS 09-182 Office of Energy and Planning – Amy Ignatius, Director, and Donna Raymond, Fiscal Director, Office of Energy and Planning presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Scamman, that the Committee approve the request of the Office of Energy and Planning to accept and expend \$25,827,000 in federal ARRA funds retroactive to May 1, 2009 through April 30, 2012, establish one (1) full-time temporary ARRA Coordinator for SEP position retroactive to May 1, 2009 through April 30, 2012 and establish one (1) full-time temporary ARRA Procurement and Contract Compliance Officer position from May 22, 2009 through April 30, 2012. 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 9:16-a, TRANSFERS AUTHORIZED:

FIS 09-173 Office of Energy and Planning – On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Office of Energy and Planning to accept and expend \$50,000 in federal grant funds and transfer \$3,147. 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 09-180 Department of Health and Human Services – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Health and Human Services to transfer \$620,287 in general funds and increase related revenue adjustments of \$469,597 in federal funds and \$779,871 in other funds. MOTION ADOPTED.

FIS 09-181 Department of Health and Human Services – On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to transfer \$216,883 and decrease related revenue adjustments of \$61,885 in federal funds and \$16,000 in other funds. MOTION ADOPTED.

CHAPTER 334:1, LAWS OF 2007, AS AMENDED BY CHAPTER 87:2, LAWS OF 2008, APPROPRIATION; STATE MATCHING FUNDS FOR MAY 2006 DISASTER ASSISTANCE:

FIS 09-164 Department of Safety – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Safety to expend \$11,633.85 in State Matching Funds for FEMA Agency Disaster Assistance Grants for the May 2006 Floods. MOTION ADOPTED.

CHAPTER 334:2, LAWS OF 2007, AND CHAPTER 87:3, LAWS OF 2008, APPROPRIATION; STATE MATCHING FUNDS FOR APRIL 2007 DISASTER ASSISTANCE GRANTS:

FIS 09-165 Department of Safety – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Safety to expend \$128,094.70 in State Matching Funds for FEMA Public Assistance Grants for the April 2007 Floods. MOTION ADOPTED.

CHAPTER 392:5, LAWS OF 2008, APPROPRIATION, STATE MATCHING FUNDS FOR JULY-SEPTEMBER 2008 DISASTER ASSISTANCE GRANTS:

FIS 09-154 Department of Safety – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Safety to expend \$20,236.62 in State Matching Funds for FEMA Public Assistance Grants for the July/August 2008 Floods. MOTION ADOPTED.

LATE ITEMS:

FIS 09-187 Department of Education and FIS 09-188 Department of Education – Mary Heath, Deputy Commissioner, and Michael Bieniek, Business Administrator, Department of Education presented the requests and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the two (2) requests of the Department of Education. MOTION ADOPTED. [FIS 09-187 Department of Education – authorization to accept and expend \$190,310 in federal ARRA funds through December 31, 2011 and FIS 09-188 Department of Education – authorization to establish one (1) full-time temporary Program Specialist I position through June 30, 2011 and authorization to establish Object Class 050 (Part-Time Temporary) to allow allocation of the salary of an existing Secretary II part-time position through June 30, 2011 and further authorization to accept and expend \$2,395,321.25 in federal ARRA agreement funds from the Workforce Opportunity Council, Inc. through September 30, 2011]

The Committee requested additional information and data from the Department of Education regarding Homeless Children, to include; the number of children homeless, broken down by school district, the distribution of funds and the definition of what qualifies as homeless. The breakdown by living conditions, i.e. cars, tents, relatives, was also requested.

FIS 09-189, FIS 09-190, FIS 09-191, FIS 09-192, and FIS 09-193 Department of Health and Human Services – Nicholas Toumpas, Commissioner, Department of Health and Human Services presented the request, two (2) handouts and responded to questions of the Committee. Katie Dunn, Medicaid Director, and Marilee Nihan, Director of Finance, Office of Medicaid Business and Policy, were present to respond to questions of the Committee pertaining to items FIS 09-189 through FIS 09-192. Nancy Rollins, Associate Commissioner, Division of Community Based Care Services, and Richard St. Onge, Financial Manager, Bureau of Elderly and Adult Services were present to respond to questions of the Committee pertaining to item FIS 09-193. James Fredyma, Controller, Department of Health and Human Services was also present to respond to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the five (5) requests of the Department of Health and Human Services. MOTION ADOPTED. [FIS 09-189 Department of Health and Human Services – authorization to accept and expend \$14,297,130.85 in federal ARRA funds and decrease appropriated general fund revenue by \$14,282,848 retroactive to October 1, 2008 through June 30, 2009 and pending approval of the preceding request, authorization to accept and expend \$14,298,901.92 in additional federal funds and

\$1,771,073.16 in federal ARRA funds and use \$14,282,848 in general funds made available pursuant to action 1 above retroactive to October 1, 2008 through June 30, 2009, FIS 09-190 Department of Health and Human Services – authorization to accept and expend \$3,943,604.67 in federal ARRA funds and decrease appropriated general fund revenue by \$3,939,665 retroactive to October 1, 2009 through June 30, 2009 and pending approval of the preceding request, authorization to accept and expend \$1,000,000 in general funds made available pursuant to action 1 above and further authorization to accept and expend \$2,942,969.28 in federal funds and \$364,518.46 in federal ARRA funds and authorization to use \$2,939,665 in general funds made available pursuant to action 1 above retroactive to October 1, 2008 through June 30, 2009, FIS 09-191 Department of Health and Human Services – authorization to accept and expend \$99,011.91 in federal ARRA funds and decrease appropriated general fund revenue by \$98,913 retroactive to October 1, 2009 through June 30, 2009 and pending approval of the preceding request, authorization to accept and expend \$99,024.18 in federal funds and \$12,265.21 in federal ARRA funds and further authorization to use \$98,913 in general funds made available pursuant to action 1 above retroactive to October 1, 2008 through June 30, 2009, FIS 09-192 Department of Health and Human Services – authorization to accept and expend \$2,134,144.88 in federal funds and decrease appropriated general fund revenue by \$2,132,012.87 retroactive to October 1, 2008 through June 30, 2009, and FIS 09-193 Department of Health and Human Services – authorization to accept and expend \$7,066,424.84 in net federal funds (which is an increase of \$8,120,388.92 in federal ARRA funds, and a decrease of \$1,053,964.08 in other federal funds) and decrease revenue adjustments in local funds by \$2,050,923.17 retroactive to October 1, 2008 through June 30, 2009, with further authorization to accept and expend \$12,399,588.57 in federal ARRA funds and decrease revenue adjustments in local funds by \$8,994,579.85 and general funds by \$3,392,621.52 retroactive to October 1, 2008 through June 30, 2009, and authorization to accept and expend \$843,843 in federal and federal ARRA funds and further authorization to use \$657,000 in general funds made available pursuant to action 1 above retroactive to October 1, 2008 through June 30, 2009]

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

The Committee will have questions pertaining to the ERP Project for the next meeting and Commissioner Toumpas and Commissioner Hodgdon were asked that those involved with the project be prepared for the June meeting.

The Committee also requested that the Office of Legislative Budget Assistant update the LBAO Report on American Recovery and Reinvestment Act (ARRA) Stimulus Funding – Fiscal Committee Approvals through May 15, 2009 and distribute to the Committee prior to the next meeting.

ADJOURNMENT:

The next regular meeting of the Fiscal Committee was set for Friday, June 12, 2009 at 9:00 a.m. (Whereupon the meeting adjourned.)