

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES

October 17, 2007

The Fiscal Committee of the General Court met on Wednesday, October 17, 2007 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 Neal Kurk
Representative Mary Jane Wallner
Representative Frederick King
Representative Peter Franklin
Representative Kenneth Weyler, Alternate
Senator Lou D'Allesandro
Senate President Sylvia Larsen
Senator Kathleen Sgambati
Senator Theodore Gatsas
Senator Bob Odell, Alternate

Chairman Smith opened the meeting at 9:05 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Franklin, seconded by Senator D'Allesandro, that the minutes of the August 29, 2007 meeting and the continuation meeting of September 5, 2007 be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

FIS 07-034 Department of Administrative Services – authorization for various departments to retain state owned passenger automobiles with FY 2006 reported mileage less than 12,000 miles **Tabled 2/16/07 and 5/15/07.**

Senator Larsen raised the question as to whether further action will be taken or should this item be removed from the table and discussed at a future date.

At Chairman Smith's request, Representative Weyler gave a brief status update to the Committee and reported that; 1) he had been in discussions with Linda Hodgdon, the Governor's Budget Director, regarding utilization statistics prepared for the Governor's Office by the Department of Administrative Services, and also regarding correspondence received from Enterprise Rent-a-Car pertaining to possible cost saving measures, and 2) that he and Senator D'Allesandro are in the process of submitting a bill to create a study committee for a fleet manager and reported information is being gathered to bring forward when the bill is discussed. No further action taken.

FIS 07-111 Department of Health and Human Services, Office of Medicaid Business and Policy – for authorization to clarify physician services reimbursements to comply with recent instructions from the federal Centers for Medicare and Medicaid Services (CMS). **Tabled 4/19/07 and 5/15/07.** No action taken.

FIS 07-238 Department of Health and Human Services – authorization to complete the bid process for the GraniteCare Selective Contracting Program. **Tabled 7/24/07.** No action taken.

RSA 9:16-a, TRANSFERS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator D'Allesandro, seconded by Representative Franklin, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 07-306 Department of Safety – transfer \$30,364]

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 recommendation by Representative Kurk, the Committee dealt with the items under this section on an individual basis, rather than as a Consent Calendar.

FIS 07-283 Department of Transportation – Christopher Morgan, Administrator, Bureau of Rail and Transit, Department of Transportation responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Representative Franklin, that the Committee approve the request from the Department of Transportation to accept and expend \$4,636,443. MOTION ADOPTED.

FIS 07-285 Department of Safety – Wesley Colby, Director of Administration, Department of Safety responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Franklin, that the Committee approve the request from the Department of Safety to retroactively amend the grant award termination date from September 30, 2007 to September 30, 2008, with no increase in funding (approved FIS 07-084 April 19, 2007 and subsequently amended FIS 07-196 June 28, 2007). MOTION ADOPTED.

FIS 07-289 Department of Education – Mary Heath, Deputy Commissioner, Department of Education responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Sgambati, that the Committee approve the request from the Department of Education to budget and expend \$1,044,381.57. MOTION ADOPTED. (9-Yes, 1-No)

FIS 07-290 Department of Education – Mary Heath, Deputy Commissioner, Department of Education responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Larsen, that the Committee approve the request from the Department of Education to accept and expend \$18,792 in additional federal grant funds and \$457,762.43 in unexpended prior year federal funds. MOTION ADOPTED. (9-Yes, 1-No)

FIS 07-297 Department of Education – Mary Heath, Deputy Commissioner, Department of Education responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Education to budget and expend \$212,890.36 unexpended carry forward funds and \$10,000 additional grant funds. MOTION ADOPTED. (9-Yes, 1-No)

FIS 07-296 Department of Environmental Services – On a motion by Senator D'Allesandro, seconded by Senator Larsen, that the Committee approve the request from the Department of Environmental Services to budget and expend \$30,000,000. MOTION ADOPTED.

FIS 07-298 Department of Safety – Wesley Colby, Director of Administration, Department of Safety responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Representative Franklin, that the Committee approve the request from the Department of Safety to retroactively amend the grant award termination date from September 30, 2007 to September 30, 2008, with no increase in funding (approved FIS 07-013 January 17, 2007 and subsequently amended FIS 07-199 June 28, 2007). MOTION ADOPTED.

FIS 07-299 Department of Safety – Wesley Colby, Director of Administration, and Colonel Frederick H. Booth, Director, Division of State Police, Department of Safety responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Safety to accept and expend \$619,198.59. MOTION ADOPTED.

FIS 07-304 Office of the Adjutant General – On a motion by Representative Franklin, seconded by Representative King, that the Committee approve the request from the Office of the Adjutant General to accept and expend \$96,350.64. MOTION ADOPTED.

FIS 07-307 Department of Agriculture – On a motion by Senator D'Allesandro, seconded by Representative Wallner, that the Committee approve the request from the Department of Agriculture to accept and expend \$102,244.91. MOTION ADOPTED.

FIS 07-308 Department of Safety – Wesley Colby, Director of Administration, and Michael Poirier, Program Manager, Emergency Communications, Department of Safety responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Franklin, that the Committee approve the request from the Department of Safety to accept and expend \$10,000,000 and authorization to extend a grant termination date from June 30, 2008 to June 30, 2009 (approved FIS 07-146 May 15, 2007). MOTION ADOPTED.

FIS 07-309 Department of Safety – Wesley Colby, Director of Administration, and Michael Poirier, Program Manager, Emergency Communications, Department of Safety responded to questions of the Committee.

On a motion by Representative Franklin, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Safety to extend the end date only from October 31, 2007 to June 30, 2009 (FIS 05-216 October 19, 2005 and subsequently amended FIS 06-018 January 23, 2006). MOTION ADOPTED.

FIS 07-310 Department of Safety – On a motion by Senator D'Allesandro, seconded by Representative Franklin, that the Committee approve the request from the Department of Safety to retroactively amend the grant award termination date from September 30, 2007 to June 30, 2008, with no increase in funding (approved FIS 07-193 June 28, 2007). MOTION ADOPTED.

FIS 07-312 Department of Safety – On a motion by Senator D'Allesandro, seconded by Representative Franklin, that the Committee approve the request from the Department of Safety to amend FIS 06-207 approved July 11, 2006, by reallocating \$5,500,000 in Public Assistance Funds from the Federal Emergency Management Agency for the May 2006 Flood event and authorization to extend the end date from May 31, 2008 to June 30, 2009. MOTION ADOPTED.

FIS 07-313 Department of Safety – Wesley Colby, Director of Administration, Department of Safety responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Franklin, that the Committee approve the request from the Department of Safety to accept and expend \$100,000. MOTION ADOPTED.

FIS 07-322 Office of Energy and Planning – Donna M. Raymond, Business Director, and Joanne Cassulo, Senior Planner, Municipal and Regional Assistant, Office of Energy and Planning responded to questions of the Committee.

On a motion by Representative Franklin, seconded by Senator Larsen, that the Committee approve the request from the Office of Energy and Planning to accept and expend \$62,256.25. MOTION ADOPTED.

FIS 07-323, FIS 07-324, FIS 07-325, FIS 07-326, FIS 07-332, FIS 07-333, FIS 07-334, FIS 07-335 and FIS 07-336 Department of Justice – Rosemary Faretra, Director of Administration, Department of Justice responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Larsen, that the Committee approve the nine (9) requests from the Department of Justice on the agenda under this section as submitted. MOTION ADOPTED. [FIS 07-323 Department of Justice – retroactively amend the grant award termination date from September 30, 2007 to September 30, 2008, with no increase in funding (approved FIS 07-208 June 28, 2007), FIS 07-324 Department of Justice – retroactively amend the grant award termination date from September 30, 2007 to September 30, 2008, with no increase in funding (approved FIS 07-183 June 28, 2007), FIS 07-325 Department of Justice – retroactively amend the grant award termination date from September 30, 2007 to September 30, 2008, with no increase in funding (approved FIS 07-182 June 28, 2007), FIS 07-326 Department of Justice – retroactively amend the grant award termination date from September 30, 2007 to September 30, 2008, with no increase in funding (approved FIS 07-207 June 28, 2007), FIS 07-332 Department of Justice – retroactively amend the grant award termination date from September 30, 2007 to June 30, 2009, with no increase in funding (approved FIS 07-180 June 28, 2007), FIS 07-333 Department of Justice – accept and expend \$84,691, FIS 07-334 Department of Justice – accept and expend \$1,732,614, FIS 07-335 Department of Justice – accept and expend \$55,496, FIS 07-336 Department of Justice – amend FIS 07-181 approved June 28, 2007, by reallocating \$119,933 from the FFY 2005 Edward Byrne Justice Grant Program to the NHDOJ Drug Task Force regional unit through September 30, 2008]

FIS 07-331 Department of Safety – Wesley Colby, Director of Administration, Department of Safety responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Franklin, that the Committee approve the request from the Department of Safety to accept and expend \$505,469. MOTION ADOPTED.

FIS 07-338 Department of Safety – Wesley Colby, Director of Administration, Department of Safety responded to questions of the Committee.

On a motion by Representative King, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Safety to accept and expend \$385,000. MOTION ADOPTED. (9-Yes, 1-No)

FIS 07-340 Department of Resources and Economic Development – On a motion by Senator D'Allesandro, seconded by Representative Franklin, that the Committee approve the request from the Department of Resources and Economic Development to accept and expend \$343,674 in federal Land and Water Conservation funds and \$252,729 in Monadnock Conservancy donations. 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 07-321 Office of Information Technology – Barbara Hoover, Information Technology Manager, Office of Information Technology and Mary Heath, Deputy Commissioner, Department of Education, presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Franklin, that the Committee approve the request from the Office of Information Technology to accept and expend \$53,073.30 in SFY 2008 and \$83,091.18 in SFY 2009 of additional other funds available from the Department of Education through June 30, 2009 and authorization to establish one (1) Database Administrator position through June 30, 2009. 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 228:69, I (b) APPROPRIATION AND USE OF SPECIAL RAILROAD FUND:

FIS 07-337 Department of Transportation – On a motion by Representative King, seconded by Senator D'Allesandro, that the Committee approve the request from the Department of Transportation to budget and expend \$148,619.66 prior year carry-forward funds and authorization to expend \$148,619.66 for maintenance and repairs to active state-owned railroad lines. MOTION ADOPTED.

RSA 106-H:9, I, FUNDING; FUND ESTABLISHED:

FIS 07-314 Department of Safety – Michael Buckley, Legislative Budget Assistant spoke of his concerns regarding the item. Wesley Colby, Director of Administration, Department of Safety and Robert Beaulac, Senior Business Supervisor, Department of Administrative Services, responded to questions of the Committee.

On a motion by Representative King, seconded by Senator Gatsas, that Committee table the request from the Department of Safety to transfer \$222,000 from the Non-Lapse Enhanced 911 System funds. MOTION ADOPTED.

RSA 124:15 POSITIONS RESTRICTED:

FIS 07-327 Department of Justice – On a motion by Senator D'Allesandro, seconded by Representative Franklin, that the Committee approve the request from the Department of Justice to retroactively amend the end date from September 30, 2007 to September 30, 2008 for the purpose of renewing a consultant contract (approved FIS 07-215 June 28, 2007). MOTION ADOPTED.

EIS 07-330 Department of Safety – Wesley Colby, Director of Administration, Department of Safety responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Representative Franklin, that the Committee approve the request from the Department of Safety to retroactively establish a Program Assistant II position through September 30, 2008. MOTION ADOPTED.

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

EIS 07-311 Administrative Office of the Courts – Dale Trombley, Fiscal Manager, Administrative Office of the Courts, and Justice Edwin Kelly, Judicial Branch, presented the request and responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Representative Franklin, that the Committee approve the request from the Administrative Office of the Courts to designate three (3) part-time district court judges and one (1) part-time probate court judge as full-time judges. MOTION ADOPTED.

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

EIS 07-316 Department of Health and Human Services – Nicholas Toumpas, Acting Commissioner, and James Fredyma, Controller, 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 Wallner, that the Committee approve the request from the Department of Health and Human Services to accept and expend \$1,194,735.54 through June 30, 2008 and accept and expend \$679,501.82 from July 1, 2008 through June 30, 2009 from the Centers for Medicare and Medicaid Services (CMS) Medicaid Funds. MOTION ADOPTED.

EIS 07-317 Department of Health and Human Services – Nicholas Toumpas, Acting Commissioner, and James Fredyma, Controller, 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 Wallner, that the Committee approve the request from the Department of Health and Human Services to accept and expend \$617,595.98 in additional federal Medicaid funds and accept and expend \$616,979 in private/local funds through June 30, 2008. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

EIS 07-305 Department of Administrative Services – Chapter 259:16, II, Laws of 2005 – 60 Day Report on the progress and implementation of the Enterprise Resource Planning (ERP) Project for the period of September 1, 2007 through October 31, 2007.

Nicholas Toumpas, Deputy Commissioner, Department of Health and Human Services, presented an update on the status of the Enterprise Resource Planning (ERP) New Hampshire First Project and the implementation of the new Medicaid Management Information System (MMIS) and responded to questions of the Committee.

OLD BUSINESS:

EIS 07-237 Department of Health and Human Services – follow-up report regarding county financial impacts resulting from enactment of Chapter 129, Laws of 2007, and 2007 ProShare payments. **Informational Item Postponed 7/24/07.**

On a motion by Representative King, seconded by Senator D'Allesandro, that this report be removed from the table. MOTION ADOPTED.

This report was accepted as an informational item and placed on file.

OFFICE OF LEGISLATIVE BUDGET ASSISTANT:

EIS 07-341 Office of Legislative Budget Assistant – On a motion by Senator D'Allesandro, seconded by Representative King, that the Committee approve the request from the Office of Legislative Budget Assistant requesting changes to the salaries of certain office employees. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

EIS 07-328 Department of Resources and Economic Development, jointly with the New Hampshire Insurance Department – Chapter 277:4, Laws of 2006 – Monthly report on status to Retain Domestic Insurers and Recruit Foreign Insurers as of September 28, 2007. At the request of Representative Kurk, Deborah O'Loughlin, New Hampshire Insurance Department responded to questions of the Committee.

The informational items were accepted and placed on file.

ADJOURNMENT:

The next regular meeting of the Fiscal Committee was set for Wednesday, November 14, 2007 at 9:30 a.m.

On a motion by Senator D'Allesandro, seconded by Representative King, that the meeting adjourn. MOTION ADOPTED. (Whereupon the meeting adjourned at 11:32 a.m.)

Representative Neal Kurk, Clerk