

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

August 26, 2015

The Fiscal Committee of the General Court met on Wednesday, August 26, 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 Mary Jane Wallner  
Representative Daniel Eaton  
Representative Richard Barry (Alternate)  
Representative Karen Umberger (Alternate)  
Senator Jeanie Forrester  
Senate President Chuck Morse  
Senator Gerald Little  
Senator John Reagan (Alternate)  
Senator Lou D'Allesandro

Chairman Kurk opened the meeting at 10:08 a.m.

Chairman Kurk announced that the State of New Hampshire, Department of Health and Human Services, Food Protection Section, Performance Audit Report, July 2015 would be presented at the end of the meeting, and further announced that all items on the Consent Calendar would be removed and voted on individually.

MISCELLANEOUS:

FIS 15-183 Office of Legislative Budget Assistant – On a motion by Representative Ober, seconded by Senator Morse, that the Committee accept the notification of retirement of Jeffrey A. Pattison, Legislative Budget Assistant effective August 31, 2015. MOTION ADOPTED.

On a motion by Representative Weyler, seconded by Senator Forrester, that the Committee nominate Michael W. Kane as Legislative Budget Assistant for the remainder of the current two-year term at Salary Grade R, Step 4, effective September 1, 2015. MOTION ADOPTED.

ACCEPTANCE OF MINUTES:

On a motion by Senator D'Allesandro, seconded by Representative Ober, that the minutes of the July 29, 2015 meeting, including the Page 1 replacement, be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

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

FIS 15-122 Department of Health and Human Services – The Department submitted FIS 15-122 Additional Information (distributed prior to the meeting) pertaining to request FIS 15-122 seeking authorization to accept and expend \$219,342 in federal funds retroactive to July 1, 2015 through December 31, 2015, tabled July 29, 2015.

On a motion by Senator D’Allesandro, seconded by Senator Morse, that the item be removed from the table. MOTION ADOPTED.

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 accept and expend \$219,342 in federal funds retroactive to July 1, 2015 through December 31, 2015. No Action Taken.

Nicholas Toumpas, Commissioner, and Sheri Rockburn, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee.

The Committee withheld action on the request, to accept and expend \$219,342 in federal funds retroactive to July 1, 2015 through December 31, 2015, tabled July 29, 2015, to allow the Department to respond to Committee questions.

FIS 15-124 Department of Health and Human Services – The Department submitted FIS 15-124 Additional Information (distributed prior to the meeting) pertaining to request FIS 15-124 seeking authorization to accept and expend \$127,089 in federal funds retroactive to July 1, 2015 through December 31, 2015, tabled July 29, 2015. No Action Taken.

FIS 15-125 Department of Health and Human Services – The Department submitted FIS 15-125 Additional Information (distributed prior to the meeting) pertaining to request FIS 15-125 seeking authorization to accept and expend \$158,196 in federal funds retroactive to July 1, 2015 through December 31, 2015, tabled July 29, 2015.

On a motion by Senator Little, seconded by Senator Forrester, that the item be removed from the table. MOTION ADOPTED.

Nicholas Toumpas, Commissioner, and Sheri Rockburn, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator Little, seconded by Representative Ober, that the Committee table the request of the Department of Health and Human Services to accept and expend

\$158,196 in federal funds retroactive to July 1, 2015 through December 31, 2015, originally tabled July 29, 2015. MOTION ADOPTED.

FIS 15-145 Department of Transportation – On a motion by Representative Ober, seconded by Senator Forrester that the Committee remove the item from the table. MOTION ADOPTED.

The Department of Transportation submitted a request (FIS 15-145 Additional Information, distributed prior to the meeting) to withdraw FIS 15-145, seeking authorization to budget and expend \$659,000 in federal funds through December 31, 2015, tabled July 29, 2015. WITHDRAWN BY AGENCY.

(B) 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 15-126 Department of Health and Human Services – The Department submitted FIS 15-126 Additional Information (distributed prior to the meeting) pertaining to request FIS 15-126 seeking authorization to; 1) accept and expend \$590,182 in federal funds retroactive to July 1, 2015 through December 31, 2015 and contingent upon approval of #1, further authorization to 2) establish five (5) full-time temporary positions through December 31, 2015 consisting of; a Toxicologist IV (LG 29), a Toxicologist II (LG 23), a Public Health Program Manager (LG 26), a Program Specialist IV (LG 25), and a Toxicologist II (LG 23), tabled July 29, 2015. No Action Taken.

FIS 15-132 Department of Safety – The Department submitted FIS 15-132 Additional Information (distributed prior to the meeting) pertaining to request FIS 15-132 seeking authorization to; 1) accept and expend \$870,841 in federal funds through December 31, 2015, and 2) establish class 046 consultant positions through December 31, 2015, tabled July 29, 2015.

On a motion by Senator Forrester, seconded by Representative Eaton, that the item be removed from the table. MOTION ADOPTED.

Kyra Leonard, Administrator, and John Stevens, State-Wide Interoperability Coordinator, 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 \$870,841 in federal funds through December 31, 2015, and 2) establish class 046 consultant positions through December 31, 2015, tabled July 29, 2015. MOTION ADOPTED. (7-Yes, 3-No)

(C) RSA 124:15, POSITIONS AUTHORIZED:

FIS 15-142 Department of Education – The Department submitted FIS 15-142 Additional Information (distributed prior to the meeting) pertaining to request FIS 15-142 seeking authorization to retroactively amend FIS 15-060, approve April 3, 2015, by extending the end date from June 30, 2015 to December 31, 2015 for a class 046 consultant position, tabled July 29, 2015. No Action Taken.

(C) RSA 124:15, POSITIONS AUTHORIZED and (D) CHAPTER 158, SUB-PARAGRAPH I, (a), LAWS OF 2015, MAKING TEMPORARY APPROPRIATIONS FOR THE EXPENSES AND ENCUMBRANCES OF THE STATE OF NEW HAMPSHIRE:

FIS 15-150 and FIS 15-151 Department of Transportation – On a motion by Representative Ober, seconded by Senator Forrester, that the requests be removed from the table. MOTION ADOPTED.

The Department of Transportation submitted a request (FIS 15-150 and 15-151 Additional Information) to withdraw requests; FIS 15-151 seeking authorization to establish consultant positions through December 31, 2015, tabled July 29, 2015, and FIS 15-150 seeking authorization to exceed the 6/12 limitation, as contained in the continuing resolution, in the amount of \$3,140,000 to the extent shown as projected deficits through December 31, 2015, tabled July 29, 2015. WITHDRAWN BY AGENCY.

(E) INFORMATIONAL MATERIALS:

As the Committee had no questions pertaining to the informational items postponed from the July 29, 2015 Fiscal Committee meeting, the informational items were accepted and placed on file.

NEW BUSINESS:

RSA 9:16-c, I, TRANSFER OF FEDERAL GRANT FUNDS:

CONSENT CALENDAR

FIS 15-168 Insurance Department – On a motion by Senator D’Allesandro, seconded by Senator Morse, that the Committee approve the request of the Insurance Department to reduce appropriated funds down by (\$90,406) in federal funds and realign the remaining appropriation for FY 2016 through December 31, 2015. 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:

CONSENT CALENDAR

FIS 15-164 Department of Safety – Perry Plummer, Director, Division of Homeland Security and Emergency Management, and Kyra Leonard, Administrator, Department of Safety responded to questions of the Committee.

On a motion by Senator Forrester, seconded by Senator Morse, that the Committee approve the request of the Department of Safety to accept and expend \$4,439,989 in federal funds through December 31, 2015. MOTION ADOPTED.

FIS 15-165 Department of Safety – Perry Plummer, Director, Division of Homeland Security and Emergency Management, and Kyra Leonard, Administrator, Department of Safety responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Senator Morse, that the Committee approve the request of the Department of Safety to accept and expend \$2,237,568 in federal funds through December 31, 2015. MOTION ADOPTED.

FIS 15-166 Department of Safety – Kyra Leonard, Administrator, Department of Safety responded to questions of the Committee.

On a motion by Senator D’Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Safety to accept and expend \$563,117 in federal funds through December 31, 2015. No Action Taken.

A recess was called at 11:05 a.m., and the Committee reconvened at 11:10 a.m.

On a motion by Representative Ober, seconded by Senator Forrester, that the Committee **amend** and approve the request of the Department of Safety to accept and expend **\$554,499** in Federal Emergency Management Agency (FEMA) funds, not the \$563,117 as requested, through December 31, 2015, **by removing Class Line 050 and Class Line 060**, totaling \$8,618. MOTION ADOPTED. (8-Yes, 2-No)

OLD BUSINESS (continued):

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

FIS 15-122 Department of Health and Human Services – Nicholas Toumpas, Commissioner, and Sheri Rockburn, Chief Financial Officer, Department of Health and Human Services provided the requested information and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Morse, that the Committee approve the request to the Department of Health and Human Services to accept and expend \$219,342 in federal funds retroactive to July 1, 2015 through December 31, 2015, tabled July 29, 2015. MOTION ADOPTED.

NEW BUSINESS (continued):

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

FIS 15-169 Department of Health and Human Services – On a motion by Senator D'Allesandro, seconded by Representative Ober, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$1,724,196 in federal funds through December 31, 2015. MOTION ADOPTED.

FIS 15-170 Department of Health and Human Services – On a motion by Senator Forrester, seconded by Representative Ober, that the Committee table the request of the Department of Health and Human Services to accept and expend \$103,396 in federal funds through December 31, 2015. MOTION ADOPTED. (7-Yes, 3-No)

FIS 15-171 Department of Health and Human Services – On a motion by Senator Forrester, seconded by Representative Ober, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$1,067,592 in federal funds retroactive to July 1, 2015 through December 31, 2015. MOTION ADOPTED.

FIS 15-178 Department of Resources and Economic Development – On a motion by Senator Forrester, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Resources and Economic Development to accept and expend \$109,020 in transfer funds from NH Fish and Game Department through December 31, 2015. MOTION ADOPTED.

FIS 15-179 Department of Resources and Economic Development – On a motion by Representative Ober, seconded by Senator Forrester, that the Committee approve the request of the Department of Resources and Economic Development to budget and expend \$189,276 in transfer funds through December 31, 2015. 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 15-172 Department of Health and Human Services – Nicholas Toumpas, Commissioner, and Sheri Rockburn, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee.

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 \$257,214 in federal funds retroactive to July 1, 2015 through December 31, 2015, and 2) retroactively amend FIS 15-002, approved January 23, 2015, by extending the end date from June 30, 2015 to December 31, 2015 for three (3) full-time temporary positions consisting of; a Senior Management Analyst (LG 26) and two (2) Program Planner III (LG 25) positions. MOTION ADOPTED.

OLD BUSINESS (continued):

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

FIS 15-124 Department of Health and Human Services – On a motion by Senator Forrester, seconded by Representative Eaton, that the item be removed from the table. MOTION ADOPTED.

Nicholas Toumpas, Commissioner, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator Morse, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services request to accept and expend \$127,089 in federal funds retroactive to July 1, 2015 through December 31, 2015, tabled July 29, 2015. MOTION ADOPTED.

NEW BUSINESS (continued):

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

FIS 15-170 Department of Health and Human Services – On a motion by Senator Forrester, seconded by Representative Eaton, that the item be removed from the table.

Nicholas Toumpas, Commissioner, and Sheri Rockburn, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator Forrester, seconded by Representative Wallner, that the Committee approve the request of the Department of Health and Human Services to accept and

expend \$103,396 in federal funds through December 31, 2015. 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 15-181 Department of Resources and Economic Development – On a motion by Senator Forrester, seconded by Representative Ober, that the Committee approve the request of the Department of Resources and Economic Development to; 1) accept and expend \$319,848 in federal funds through December 31, 2015, and 2) establish a consultant position (class 046) through December 31, 2015. MOTION ADOPTED.

RSA 124:15, POSITIONS AUTHORIZED:

CONSENT CALENDAR

FIS 15-156 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 establish four (4) part-time temporary positions consisting of; a Program Specialist III (LG 21), two (2) Field Representative II (LG 21), and a Program Assistant II (LG 15) through December 31, 2015. MOTION ADOPTED. (8-Yes, 2-No)

FIS 15-167 Department of Cultural Resources – Kathleen Stanick, Administrator, Department of Cultural Resources responded to questions of the Committee.

On a motion by Senator Forrester, seconded by Representative Ober, that the Committee approve the request of the Department of Cultural Resources to retroactively amend FIS 14-028, approved March 21, 2014, by extending the end date from June 30, 2015 to December 31, 2015. MOTION ADOPTED.

FIS 15-173 Department of Transportation – On a motion by Senator Forrester, seconded by Representative Ober, that the Committee table the request of the Department of Transportation to establish a consultant position through December 31, 2015. MOTION ADOPTED.

FIS 15-184 Department of Health and Human Services – Nicholas Toumpas, Commissioner, and Sheri Rockburn, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator Forrester, seconded by Senator Morse, that the Committee approve the request of the Department of Health and Human Services to establish one (1) part-



time temporary Program Specialist III (LG 23) position retroactive to July 1, 2015 through December 31, 2015. MOTION ADOPTED. (9-Yes, 1-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 228:69, I. (b), APPROPRIATION AND USE OF SPECIAL RAILROAD FUND:

FIS 15-177 Department of Transportation – Marie Mullen, Director of Finance, and Patrick Herlihy, Director of Aeronautics, Rail and Transit, Department of Transportation responded to questions of the Committee.

On a motion by Representative Ober, seconded by Senator Little, that the Committee approve the request of the Department of Transportation to; 1) budget and expend \$750,000 in prior year carry forward Special Railroad funds through December 31, 2015, and 2) authorization to expend an amount not to exceed \$750,000 from the Special Railroad Fund for the maintenance and repair of State-owned railroad lines and bridges through December 31, 2015. MOTION ADOPTED.

CHAPTER 158, SUB-PARAGRAPH I. (a), Laws of 2015, MAKING TEMPORARY APPROPRIATIONS FOR THE EXPENSES AND ENCUMBRANCES OF THE STATE OF NEW HAMPSHIRE:

FIS 15-174 Department of Resources and Economic Development – Jeffrey Rose, Commissioner, and Philip Bryce, Director, Division of Parks and Recreation, Department of Resources and Economic Development responded to questions of the Committee.

On a motion by Representative Ober, seconded by Senator Little, that the Committee approve the request of the Department of Resources and Economic Development to exceed the 6/12 limitation, as contained in the continuing resolution, in the amount of \$1,135,000 to the extent shown as projected deficits through December 31, 2015. MOTION ADOPTED.

FIS 15-175 Department of Transportation – Marie Mullen, Director of Finance, and John Corcoran, Administrator, Bureau of Turnpikes, Department of Transportation responded to questions of the Committee.

On a motion by Representative Weyler, seconded by Representative Ober, that the Committee table the request of the Department of Transportation to exceed the 6/12 limitation, as contained in the continuing resolution, in the amount of \$3,000,000 to the extent shown as projected deficits through December 31, 2015. No Action Taken.

A recess was called at 12:06 p.m., and the Committee reconvened at 12:14 p.m.

On a motion by Representative Weyler, seconded by Representative Ober, that the Committee table the request of the Department of Transportation to exceed the 6/12 limitation, as

contained in the continuing resolution, in the amount of \$3,000,000 to the extent shown as projected deficits through December 31, 2015. MOTION ADOPTED. (8-Yes, 2-No)

CHAPTER 158, SUB-PARAGRAPH I, (a), LAWS OF 2015 AND CHAPTER 144:95, LAWS OF 2013, DEPARTMENT OF TRANSPORTATION; TRANSFER OF FUNDS:

FIS 15-163 Department of Transportation – On a motion by Representative Weyler, seconded by Senator Reagan, that the Committee approve the request of the Department of Transportation to transfer \$95,000 between Highway Fund accounts and classes through December 31, 2015. MOTION ADOPTED.

FIS 15-176 Department of Transportation – On a motion by Representative Weyler, seconded by Senator Reagan, that the Committee approve the request of the Department of Transportation to transfer \$84,500 within Turnpike Fund accounting units through December 31, 2015. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

FIS 15-182 Department of Administrative Services – Chapter 319:32, Laws of 2003 – Vicki Quiram, Commissioner, and Catherine Keane, Director of Risk and Benefits, Department of Administrative Services responded to questions of the Committee pertaining to the State Employee Health Insurance - report regarding the self-funded health benefits program from July 1, 2015 through July 31, 2015.

The informational items were accepted and placed on file.

10:30 a.m.


AUDITS:

State Of New Hampshire, Department of Health and Human Services, Food Protection Section , Performance Audit Report, July 2015 – Presentation of this report was postponed at the July 29, 2015 Fiscal Committee meeting and is scheduled to be presented September 25, 2015.

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.

DATE OF NEXT MEETING AND ADJOURNMENT

The next regular meeting of the Fiscal Committee was previously set for 10:00 a.m. Friday, September 25, 2015. (Whereupon the meeting adjourned at 12:49 p.m.)

  
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Representative Ken Weyler, Clerk