

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

September 16, 2016

The Fiscal Committee of the General Court met on Friday, September 16, 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 Gary Daniels (Alternate)
Senator John Reagan (Alternate)
Senate President Chuck Morse
Senator Nancy Stiles (Alternate)
Senator Lou D'Allesandro

Chairman Kurk opened the meeting at 10:06 a.m.

Chairman Kurk reminded Members that a public hearing scheduled for Friday, September 23, 2016, at 1:00 p.m., would be held in Representatives Hall on state retiree healthcare plan options to be presented by the Department of Administrative Services.

ACCEPTANCE OF MINUTES:

On a motion by Senator D'Allesandro, seconded by Representative Ober, that the minutes of the August 5, 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.

FIS 16-087 Department of Health and Human Services, FIS 16-098 Replacement Department of Education, and FIS 16-099 Replacement New Hampshire Employment Security – On a motion by Senator D’Allesandro, seconded by Representative Wallner, that items FIS 16-087, FIS 16-098, and FIS 16-099 be removed from the table.

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

Representative Weyler – Yes
Representative Ober – No
Representative Wallner – Yes
Representative Eaton – Yes
Senator Daniels – No
Senator Reagan – No
Senator Morse – No
Senator Stiles – No
Senator D’Allesandro – Yes
Representative Kurk – No (4-Yes; 6-No)
MOTION FAILED.

Requests FIS 16-087 Department of Health and Human Services – to accept and expend \$8,298,168 in federal funds effective July 1, 2016 through December 31, 2016 (Postponed May 20, 2016 and Tabled June 24, 2016), FIS 16-098 Replacement 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 September 1, 2016 through February 28, 2017, which replaces request FIS 16-098 Department of Education - contingent upon Fiscal Committee approval of FIS 16-087, to accept and expend \$612,500 in other funds for the period of July 1, 2016 through December 31, 2016 (Tabled 06/24/16), and FIS 16-099 Replacement New Hampshire Employment Security – contingent upon Fiscal Committee approval of FIS 16-087, authorization to 1) accept and expend \$477,930 in other funds for the period of September 1, 2016 through February 28, 2017, 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 of September 1, 2016 through February 28, 2017, which replaces request FIS 16-099 New Hampshire Employment Security – contingent upon Fiscal Committee approval of FIS 16-087, 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 (Tabled 06/24/16) remained on the table. No Action Taken.

FIS 16-093 New Hampshire Liquor Commission – authorization to accept and expend \$109,692 in other funds through September 30, 2016. Tabled 06/24/16. No Action Taken.

RSA 9:16-a TRANSFERS AUTHORIZED:

CONSENT CALENDAR

On a motion by Representative Ober, seconded by Senator D'Allesandro, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 16-138 Department of Resource and Economic Development – authorization to transfer \$150,000 in general funds through June 30, 2017, and FIS 16-146 Department of Resources and Economic Development – authorization to transfer \$100,000 in general funds through June 30, 2017]

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

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 16-133 Department of Administrative Services – authorization to accept and expend \$129,422 in federal funds through June 30, 2017, FIS 16-139 Department of Justice – authorization to amend FIS 15-233, approved December 18, 2015, by extending the end date only from September 30, 2016 to December 31, 2016, with no increase in funding, and FIS 16-140 Department of Safety – authorization to accept and expend \$172,400 in other funds through September 30, 2016]

RSA 124:15 POSITIONS AUTHORIZED:

CONSENT CALENDAR

FIS 16-143 Department of Corrections – Robin Maddaus, Director of Administration, Department of Corrections, 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 establish one (1) temporary part-time Victim Witness Specialist (LG 26) position through June 30, 2017. MOTION ADOPTED. (8-Yes, 2-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

At the request of the Committee FIS 16-141 Department of Environmental Services and FIS 16-148 Department of Safety Replacement were removed from the Consent Calendar.

On a motion by Representative Eaton, seconded by Senator Morse, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 16-142 Department of Safety – authorization to amend FIS 15-242, approved December 31, 2015, by; 1) extending the end date from September 30, 2016 to December 31, 2016 and to reallocate \$90,207 in other funds, and 2) extend the end date from September 30, 2016 to December 31, 2016 for a consultant

position, and FIS 16-151 Department of Safety – authorization to; 1) retroactively extend the subgrant end date from March 31, 2016 to March 31, 2017 and retroactively accept and expend \$114,661 in other funds for the period of April 1, 2016 through March 31, 2017, and 2) retroactively amend FIS 15-266, approved December 18, 2015, by extending the end date only from March 31, 2016 to March 31, 2017 to continue (4) temporary part-time positions consisting of; a Program Specialist III (LG 21), two (2) Field Representative II (LG 21), and a Program Assistant II (LG 15)]

FIS 16-141 Department of Environmental Services – Clark Freise, Assistant Commissioner, and Theodore Diers, Administrator, Watershed Management Bureau, Department of Environmental Services, 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 Environmental Services to; 1) accept and expend \$321,195 in federal funds through June 30, 2017, and 2) establish one (1) full-time temporary Environmentalist III (LG 23) position through June 30, 2017. MOTION FAILED. (4-Yes, 6-No)

On a motion by Representative Ober, seconded by Representative Eaton, that the Committee table the request of the Department of Environmental Services to; 1) accept and expend \$321,195 in federal funds through June 30, 2017, and 2) establish one (1) full-time temporary Environmentalist III (LG 23) position through June 30, 2017. MOTION ADOPTED.

FIS 16-148 Replacement Department of Safety – Steven Lavoie, Director of Administration, Department of Safety, 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 replacement request of the Department of Safety to; 1) accept and expend \$128,385 in other funds through June 30, 2017, and 2) establish one (1) temporary full-time State Police Detective Trooper (LG 21) position, one (1) temporary part-time Attorney III (LG 30) position, and a consultant position through June 30, 2017. 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 228:69, I. (B), APPROPRIATION AND USE OF SPECIAL RAILROAD FUND:

FIS 16-131 Department of Transportation – On a motion by Representative Ober, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Transportation to; 1) budget and expend \$580,745 in prior year carry-forward Special Railroad funds through June 30, 2017 and 2) expend an amount not to exceed \$580,745 from the Special Railroad fund for maintenance and repair of State-owned railroad lines and bridges through June 30, 2017. MOTION ADOPTED.

RSA 21-I:56, II, RECLASSIFICATION OF POSITIONS OR INCREASES:

FIS 16-150 Department of Environmental Services – Clark Freise, Assistant Commissioner, and Rene Pelletier, Assistant Director of Water, Department of Environmental Services, presented the request, two (2) handouts, and responded to questions of the Committee. Eugene Forbes, Director, Water Pollution Division, Department of Environmental Services, was also present to respond to questions of the Committee.

At the request of Senator Morse, the Committee recessed at 11:00 a.m., and reconvened at 11:10 a.m.

On a motion by Senator D’Allesandro, seconded by Representative Weyler, that the Committee approve the request of the Department of Environmental Services to reclassify Position #12078 from Environmentalist III, labor grade 23, to Environmental Program Administrator, labor grade 35. MOTION ADOPTED. (8-Yes, 2-No)

Representative Ober requested the Department provide a spreadsheet comparing the titles, salaries, and labor grades of the twelve (12) positions as presently budgeted and the proposed reclassification changes and difference in salaries.

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

FIS 16-149 Department of Corrections – On a motion by Representative Weyler, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Corrections to transfer \$2,407 in other funds and establish new class lines through June 30, 2017. MOTION ADOPTED.

CHAPTER 303:5, LAWS OF 2016, DEPARTMENT OF HEALTH AND HUMAN SERVICES; REDUCTION IN APPROPRIATION TO THE SUNUNU YOUTH SERVICES CENTER; REPORTING REQUIREMENT:

FIS 16-137 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.

On a motion by Representative Barry, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Health and Human Services for approval of the plan to reduce State general fund appropriations to the Sununu Youth Services Center (SYSC) by \$1,700,000 for the fiscal year ending June 30, 2017. MOTION ADOPTED.

MISCELLANEOUS:

Michael Kane, Legislative Budget Assistant, requested approval to fill one (1) vacant performance auditor position in the Office of Legislative Budget Assistant, Audit Division.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Office of Legislative Budget Assistant to fill one (1) vacant performance auditor position in the Office of Legislative Budget Assistant, Audit Division. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.


AUDITS:

State of New Hampshire, Department of Transportation, Bridge Maintenance, Performance Audit Report, September 2016 – Stephen Smith, Director of Audits, and Steven Grady, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Victoria Sheehan, Commissioner, and Christopher Waszczuk, Deputy Commissioner, Department of Transportation, were present to respond to questions of the Committee. The Department presented the Committee with two (2) handouts.

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.

DATE OF NEXT MEETING:

The next regular meeting of the Fiscal Committee was set for Friday, October 14, 2016 at 10:00 a.m. (Whereupon the meeting adjourned at 12:12 p.m.)



Representative Ken Weyler, Clerk