

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

June 18, 2012

The Fiscal Committee of the General Court met on Monday, June 18, 2012 at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Ken Weyler, Chairman
Representative Beverly Rodeschin
Representative Daniel McGuire
Representative Stephen Stepanek
Representative Robert Foose
Senator Chuck Morse
Senate President Peter Bragdon
Senator Bob Odell
Senator Sylvia Larsen
Senator John Gallus

Chairman Weyler opened the meeting at 10:07 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Rodeschin, seconded by Representative Stepanek, that the minutes of the May 21, 2012 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

Office of Legislative Budget Assistant – Administrative Procedures. Tabled 12/29/10. No Action Taken.

FIS 11-274 Department of Information Technology – request for an extension to the October 1, 2011 requirement to present the consultant’s report on the MMIS system to the Fiscal Committee to December 31, 2011. Tabled 09/23/11 and FIS 11-274 Additional Information – Department of Justice handout presented at the October 28, 2011 meeting, and FIS 11-274 Additional Information #2 – Department of Information Technology update presented at the January 20, 2012 meeting. No Action Taken.

FIS 11-322 House of Representatives – request on behalf of the House Speaker that the Office of Legislative Budget Assistant conduct a complete financial audit of the New Hampshire Disaster Relief Fund (“NHDRF”) from inception to the present and a complete report on how NHDRF operated itself, determined distributions and followed-up on distributions. Tabled 10/28/11. No Action Taken.

NEW BUSINESS:

RSA 9:16-a, TRANSFERS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator Bragdon, seconded by Representative Foose, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 12-203 Board of Medicine – transfer \$35,000, FIS 12-204 Department of Transportation – transfer \$30,000, and FIS 12-212 Department of Transportation – transfer \$450,000]

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

At the request of Representative McGuire FIS 12-205 Department of Environmental Services was removed from the Consent Calendar.

On a motion by Senator Bragdon, seconded by Senator Gallus, that the Committee approve the remaining requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 12-195 Department of Transportation – authorization to retroactively amend FIS 09-089, approved March 20, 2009, by extending the end date from February 17, 2012 to September 30, 2015, with no increase in funding, FIS 12-211 Department of Resources and Economic Development – authorization to amend FIS 10-148, approved May 18, 2010 and subsequently amended by FIS 11-236, approved September 23, 2011, by extending the end date from June 30, 2012 to June 30, 2013 and to carry forward and budget \$604,811.93 in grant funds in FY 2013 through June 30, 2013, FIS 12-213 Department of Resources and Economic Development – accept and expend \$112,521, FIS 12-214 Department of Transportation – accept and expend \$3,400,000, FIS 12-219 Department of Agriculture, Markets and Food – budget and expend \$145,000, and FIS 12-220 Public Utilities Commission – authorization to 1) accept and expend \$16,886 in federal funds for the period of July 1, 2012 through June 30, 2013 and further authorization to 2) amend FIS 11-312, approved October 28, 2011, by extending the end date from July 31, 2012 to June 30, 2013]

FIS 12-205 Department of Environmental Services – Susan Carlson, Chief Operations Officer, Department of Environmental Services responded to questions of the Committee.

On a motion by Senator Bragdon, seconded by Representative Stepanek, that the Committee approve the request of the Department of Environmental Services to accept and expend \$647,962. MOTION ADOPTED. [9-Yes, 1-No]

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 12-215 Department of Justice – On a motion by Senator Bragdon, seconded by Representative McGuire, that the Committee approve the request of the Department of Justice to amend FIS 09-227, approved June 12, 2009, by extending the end date from February 28, 2013

to June 30, 2013, with no increase in funding, and extend the end date of three (3) full-time temporary positions to consist of one (1) Cold Case Unit Attorney, one (1) Consumer Protection Attorney, and one (1) Training Specialist, and extend one (1) consultant Cold Case Unit Investigator position from June 30, 2012 to June 30, 2013. MOTION ADOPTED.

FIS 12-226 Department of Corrections – On a motion by Senator Bragdon, seconded by Representative McGuire, that the Committee approve the request of the Department of Corrections to accept and expend \$73,841 in other funds effective from July 1, 2012 through June 30, 2013, and extend the end date of one (1) full-time Victim Witness Specialist position effective from July 1, 2012 through June 30, 2013. 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 12-196 Department of Transportation – On a motion by Senator Bragdon, seconded by Representative Foose, that the Committee approve the request of the Department of Transportation to accept and expend \$394,317 of additional revenue from the Special Railroad Fund through June 30, 2012 and to expend an amount not to exceed \$394,317 for maintenance and repairs to active state-owned railroad lines through June 30, 2012. MOTION ADOPTED.

RSA 106-H:9, FUNDING; FUND ESTABLISHED, AND RSA 21-P:12-d FIRE STANDARDS AND TRAINING AND EMERGENCY MEDICAL SERVICES FUND:

FIS 12-221 Department of Safety – Kevin O'Brien, Chief of Policy and Planning, and Bruce Cheney, Director, Bureau of Emergency Services and Communications, Department of Safety, presented the request and responded to questions of the Committee.

On a motion by Representative Foose, seconded by Senator Bragdon, that the Committee approve the request of the Department of Safety to transfer \$350,000 from the Prior Year Carry Forward Balance of the Enhanced E-911 System Fund for the period of July 1, 2012 through June 30, 2013 and transfer \$150,000 from the Fire Standards and Training and Emergency Medical Services fund for the period of July 1, 2012 through June 30, 2013. MOTION ADOPTED.

RSA 215-A:23, IX, AND RSA 215-C:39, X, REGISTRATION FEES:

FIS 12-222 New Hampshire Fish and Game Department – On a motion by Senator Bragdon, seconded by Representative McGuire, that the Committee approve the request of the New Hampshire Fish and Game Department to transfer \$15,000 of unexpended funds from Excess Registration Fees to the Fish and Game OHRV Fiscal Year 2012 Operating Budget. MOTION ADOPTED.

CHAPTER 223:4, LAWS OF 2011, LOTTERY COMMISSION; AUTHORITY GRANTED:

FIS 12-216 Lottery Commission – Charles McIntyre, Executive Director, and Georges Roy, Administrator, New Hampshire Lottery Commission presented the request and respond to questions of the Committee.

On a motion by Senator Bragdon, seconded by Representative Stepanek, that the Committee approve the request of the Lottery Commission to transfer \$2,300,000 from the Lottery Special Revenue Account for the purchase of instant gaming tickets and related services. MOTION ADOPTED.

CHAPTER 223:11, III, LAWS OF 2011, JUDICIAL BRANCH; GENERAL FUND APPROPRIATION REDUCTIONS:

FIS 12-228 Administrative Office of the Courts – Chief Justice Linda Dalianis, New Hampshire Supreme Court, and Honorable Tina Nadeau, Chief Justice, New Hampshire Superior Court, presented the request and responded to questions of the Committee. Donald Goodnow, Director, and Peter Croteau, IT Manager, Administrative Office of the Courts, were present to respond to questions of the Committee.

On a motion by Senator Morse, seconded by Representative Stepanek, to separate the \$500,000 Jury Management Software package from the rest of the request. MOTION ADOPTED.

On a motion by Senator Bragdon, seconded by Representative Stepanek, that the Committee **amend** the request as submitted by the Administrative Office of the Courts by approving **\$500,000, not \$1,696,658**, of additional funding for the fiscal year ending June 30, 2013 from funds not otherwise appropriated, for the purpose of purchasing a commercial off-the-shelf jury management system, as specified in the request dated June 1, 2012. MOTION ADOPTED.

On a motion by Representative Stepanek, seconded by Representative Rodeschin, that the Committee table the remainder of the request of the Administrative Office of the Courts of \$1,196,658 requested in this item relative to the NH e-court project. MOTION ADOPTED. (7-Yes, 3-No)

CHAPTER 224:14, II, LAWS OF 2011, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 12-206 Department of Health and Human Services – On a motion by Senator Bragdon, seconded by Representative Foose, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$81,750 in other funds for the period of July 1, 2012 through June 30, 2013. MOTION ADOPTED.

FIS 12-217 Department of Health and Human Services – On a motion by Senator Bragdon, seconded by Representative Stepanek, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$60,000 in federal funds through June 30, 2013. MOTION ADOPTED.

FIS 12-223 Department of Health and Human Services – On a motion by Senator Bragdon, seconded by Representative McGuire, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$500,000 in other funds through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:203, LAWS OF 2011, DEPARTMENT BUDGETS; TRANSFER OF FEDERAL FUNDS:

FIS 12-207 Department of Education – Sharon DeAngelis, Business Administrator, Division of Career Technology and Adult Learning, Department of Education presented the request and responded to questions of the Committee.

On a motion by Senator Bragdon, seconded by Representative Foose, that the Committee approve the request of the Department of Education to transfer \$29,304 in federal funds through June 30, 2012. MOTION ADOPTED.

CHAPTER 224:210, LAWS OF 2011, DEPARTMENT OF INFORMATION TECHNOLOGY; TRANSFERS AMONG ACCOUNTS:

FIS 12-208 Department of Information Technology – On a motion by Senator Bragdon, seconded by Representative McGuire, that the Committee approve the request of the Department of Information Technology to transfer \$189,550 in other funds through June 30, 2012. MOTION ADOPTED.

CHAPTER 224:219, II (b), LAWS OF 2011, JUDICIAL APPOINTMENTS; NUMBER LIMITED; VACANCIES:

FIS 12-227 Administrative Office of the Courts – On a motion by Representative McGuire, seconded by Representative Stepanek, that the Committee table the request of the Administrative Office of the Courts for authorization for the governor and council to make three (3) judicial appointments to the new circuit court to fill three (3) positions that will become vacant due to the completion of the terms of three (3) marital masters. MOTION ADOPTED. [8-Yes, 2-No]

CHAPTER 224:371, LAWS OF 2011, DEPARTMENT OF ADMINISTRATIVE SERVICES; TRANSFER AMONG ACCOUNTS:

FIS 12-224 Department of Administrative Services – On a motion by Senator Bragdon, seconded by Representative McGuire, that the Committee approve the request of the Department of Administrative Services to transfer \$60,945 in general funds and \$370,253 in other funds for a total of \$431,198 through June 30, 2012. MOTION ADOPTED.

LATE ITEM:

FIS 12-218 Department of Education – Caitlin Davis, Internal Auditor, and Roberta Tenney, Administrator, Bureau of Administration, Department of Education presented the request and responded to questions of the Committee.

On a motion by Representative Stepanek, seconded by Senator Larsen, that the Committee approve the request of the Department of Education to expend in excess of 110 percent of budgeted amounts as necessary to fund the projected obligations to the State's Charter Schools for the current fiscal year chartered public school tuition payment in an estimated amount of \$330,000 through June 30, 2012. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

FIS 12-197 Department of Health and Human Services – Chapters 223:6 and 224:14, Laws of 2011 – Nicholas Toumpas, Commissioner, Department of Health and Human Services responded to questions of the Committee regarding the April 2012 Budget status report for the fiscal year ending June 30, 2012.

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Joint Board of Licensure and Certification, Internal Control Over Revenue, June 2012 – Richard Mahoney, Director of Audits, and Pamela Veeder, Senior Audit Manager, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Louise Lavertu, Executive Director, Joint Board of Licensure and Certification was present to respond to questions of the Committee.

On a motion by Representative McGuire, seconded by Representative Rodeschin, that the report be accepted, placed on file and released in the usual manner. MOTION ADOPTED.

ADJOURNMENT:

The next regular meeting of the Fiscal Committee was set for Monday, July 23, 2012 at 10:00 a.m.

On a motion by Representative Rodeschin, seconded by Senator Morse, that the meeting adjourn. MOTION ADOPTED. (Whereupon the meeting adjourned at 11:19 a.m.)

Representative Beverly Rodeschin, Clerk