

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES  
July 31, 2002

The Fiscal Committee of the General Court met on Wednesday, July 31, 2002 at 9:00 a.m. in Room 100 of the State House.

Members in attendance were as follows:

Representative Neal Kurk, Chairman  
Representative Kenneth Weyler, Clerk  
Representative Keith Herman  
Representative Beverly Rodeschin  
Representative Marjorie Smith  
Senator Arthur Klemm, Vice Chairman  
Senator John Barnes  
Senator Gary Francoeur  
Senator Beverly Hollingworth  
Senator Caroline McCarley

Chairman Kurk opened the meeting at 9:42 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Rodeschin, seconded by Senator Barnes, that the minutes of the June 12, 2002 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

FIS 02-124 Department of Corrections - On a motion by Representative Weyler, seconded by Senator Barnes, that this request be removed from the table. MOTION ADOPTED.

Representative Weyler presented the subcommittees report and responded to questions of the Committee. Commissioner Stanley was also present to respond to questions.

On a motion by Representative Weyler, seconded by Senator Barnes, that the Committee approve the request of the Department of Corrections to transfer and expend \$142,869 from unclassified permanent salaries and benefits to hire Physician Consultants for the Concord Prison in FY 2003. MOTION ADOPTED.

NEW BUSINESS:

RSA 124:15 POSITIONS RESTRICTED - CONSENT CALENDAR:

On a motion by Senator Klemm, seconded by Representative Weyler, that the Committee approve all the requests listed on the agenda under this section as submitted. MOTION ADOPTED. (FIS 02-150, FIS 02-157, and FIS 02-163)

CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF HEALTH AND HUMAN SERVICES:

FIS 02-146 Department of Health and Human Services, Division for Children, Youth & Families - On a motion by Senator Hollingworth, seconded by Representative Smith, that the Committee approve the request of the Department of Health and Human Services, Division for Children, Youth & Families to accept and expend \$29,000 in federal funds. MOTION ADOPTED.

FIS 02-151 Department of Health and Human Services, Division of Alcohol & Drug Abuse Prevention and Recovery - James Fredyma, Controller, Finance presented the request and responded to questions of the Committee.

On a motion by Senator Hollingworth, seconded by Representative Smith, that the Committee approve the request of the Department of Health and Human Services, Division of Alcohol & Drug Abuse Prevention and Recovery to accept and expend \$1,647,334.77 in federal funds. MOTION ADOPTED.

RSA 215-A:23, IX - OHRV FEES:

FIS 02-155 Fish and Game Department - Daniel Lynch, Assistant Director and Timothy Acerno, Captain, OHRV Program Coordinator presented the request and responded to questions of the Committee. Representative H. Charles Royce, Chairman of the House Resources, Recreation & Development Committee also responded to questions of the Committee.

On a motion by Representative Herman, seconded by Senator Francoeur, that this request be tabled. (After a brief recess Representative Herman withdrew the tabling motion.)

On a motion by Senator McCarley, seconded by Representative Herman, that the Committee approve the request from the Fish and Game Department to transfer and expend \$1,649,911.90 in excess OHRV fees. MOTION ADOPTED.

FIS 02-160 Department of Resources and Economic Development, Division of Parks and Recreation - On a motion by Senator Hollingworth, seconded by Senator McCarley, that the Committee approve the request from the Department of Resources and Economic Development to expend \$1,139,095.60 in excess OHRV fees. MOTION ADOPTED.

RSA 216-A:3,q - FEES FOR PARK SYSTEM:

FIS 02-156 Department of Resources and Economic Development, Division of Parks and Recreation - Richard McLeod, Director, Division of Parks and Recreation presented the request and responded to questions of the Committee.

On a motion by Senator McCarley, seconded Senator Barnes, that the Committee approve the request from the Department of Resources and Economic Development, Division of Parks and Recreation for the

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proposed rate changes for Cannon Mountain daily and seasonal ski passes. MOTION ADOPTED.

RSA 216-A:3,i,II - STATE PARK FUND ESTABLISHED:

FIS 02-159 Department of Resources and Economic Development, Division of Parks and Recreation - Kenneth Plourde, Business Administrator presented the request and responded to questions of the Committee.

On a motion by Senator Francoeur, seconded by Representative Herman, that the Committee approve the request from the Department of Resources and Economic Development, Division of Parks and Recreation to expend \$400,000 from the Park Fund Ski Account. MOTION ADOPTED.

RSA 491-A:3,IV DISTRICT COURT JUDGES; SALARIES:

FIS 02-153 Supreme Court - Judge Edward Kelly, Administrative Judge, District Court presented the request and responded to questions of the Committee.

On a motion by Representative Smith, seconded by Senator McCarley, that the Committee approve the request from the Supreme Court for the conversion of a part-time district court judge to full-time. MOTION ADOPTED.

CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF HEALTH AND HUMAN SERVICES, RSA 9:16-a TRANSFER AND REDUCTIONS AUTHORIZED AND RSA 124:15 POSITIONS RESTRICTED:

FIS 02-161 Department of Health and Human Services, Division for Children, Youth & Families - (A replacement request was distributed to members of the Committee.) Kathleen Sgambati, Deputy Commissioner and Ann Larney, Associate Attorney General, Civil Bureau, Department of Justice presented the request and responded to questions of the Committee. Nancy Rollins, Director, Office of Family Services was also present to respond to questions.

On a motion by Representative Smith, seconded by Senator Hollingworth, that the Committee go into nonpublic session to hear from counsel with respect to litigation strategy. A roll call of the members was taken as follows: (Representative Herman called the roll in the absence of Representative Weyler.)

Senator Hollingworth - Yes  
Senator McCarley - Yes  
Senator Francoeur - Yes  
Senator Klemm - Yes  
Representative Rodeschin - Yes  
Representative Herman - Yes  
Representative Smith - Yes  
Representative Kurk - Yes

The vote was unanimous and the Committee went into Nonpublic Session.

The Committee came out of Nonpublic Session.

On a motion by Senator Francoeur, seconded by Representative Klemm, that this request be tabled. Senator Hollingworth requested a roll call, and the Clerk called the roll with the following results on the tabling motion:

Senator Barnes - Yes  
Senator Klemm - Yes  
Senator Francoeur - Yes  
Senator Hollingworth - No  
Senator McCarley - No  
Representative Kurk - Yes  
Representative Smith - No  
Representative Weyler - Yes  
Representative Herman - Yes  
Representative Rodeschin - Yes

7 voted in the affirmative, with 3 in the negative, the motion carried and the item was tabled.

INFORMATIONAL ITEMS:

Catherine Provencher, Director of Audits, Office of Legislative Budget Assistant addressed the Committee regarding an informational item in Committee members' packets which is a new auditing standard required by Government Auditing Standards. Ms. Provencher noted that the reason for this communication is to notify the Committee that the purpose of a financial and compliance audit is to express an opinion on fairness of the financial statements. She further noted that her Office does not express an opinion on internal control or an opinion on compliance. There will be no change in procedure or no change in the reports that the Committee receives monthly; this is simply a new requirement under Yellow Book Standards.

The informational items were accepted and placed on file.

AUDITS:

Chairman Kurk requested that presentations on the two tabled audits be postponed until the next meeting of the Fiscal Committee.

MISCELLANEOUS:

Representative Smith requested additional information on the report from the Joint Legislative Facilities Committee, Legislative Branch dealing with redistricting costs. Representative Smith requested a more detailed list of where the \$45,000, which was appropriated in the budget for redistricting, was spent.

Michael Buckley, Legislative Budget Assistant will provide detailed information to members at the next meeting of the Committee.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next meeting of the Fiscal Committee will be held on Wednesday, September 4, 2002 at 9:00 a.m. in the Legislative Office Building, Room 210-211. (Whereupon the Committee adjourned.)

Representative Kenneth Weyler, Clerk