

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES

November 14, 2007

The Fiscal Committee of the General Court met on Wednesday, November 14, 2007 at 9:30 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Marjorie Smith, Chairman
Representative Neal Kurk
Representative Daniel Eaton, Alternate
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 9:30 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Eaton, seconded by Representative King, that the minutes of the October 17, 2007 be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

EIS 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**. On a motion by Representative Kurk, seconded by Senator D'Allesandro, that this request be removed from the table. MOTION ADOPTED.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Administrative Services for various departments to retain state owned passenger automobiles with FY 2006 reported mileage less than 12,000 miles. MOTION ADOPTED.

EIS 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.

EIS 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.

FIS 07-314 Department of Safety – transfer \$222,000 from the Non-Lapse Enhanced 911 System funds. **Tabled 10/17/07**. On a motion by Senator D'Allesandro, seconded by Representative Eaton, that this request be removed from the table. MOTION ADOPTED.

On a motion by Representative Eaton, seconded by Representative King, that the Committee accept the replacement item from the Department of Safety to transfer \$222,000 from the Non-Lapse Enhanced 911 System funds. MOTION ADOPTED.

Wesley Colby, Director, Division of Administration, Department of Safety, responded to questions of the Committee.

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

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 07-354 Office of Energy and Planning – transfer \$62,000]

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

Items FIS 07-345 Department of Safety – accept and expend \$75,696.65, FIS 07-346 Department of Safety – accept and expend \$84,430.88, FIS 07-363 Department of Education – budget and expend \$376,555.55 in prior year carry forward federal funds and FIS 07-371 Department of Transportation – accept and expend \$900,000 were removed from the Consent Calendar at the request of the Chair.

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the remainder of the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 07-344 Office of Energy and Planning – accept and expend \$213,720.15, FIS 07-347 Department of Safety – accept and expend \$311,167, FIS 07-348 Department of Safety – accept and expend \$136,400, FIS 07-356 Department of Environmental Services – accept and expend \$270,300, FIS 07-357 Department of Environmental Services – accept and expend \$40,000, FIS 07-358 Department of Safety – accept and expend \$226,851.20, FIS 07-366 Department of Justice – accept and expend \$110,151, FIS 07-367 Department of Justice – accept and expend \$143,177]

FIS 07-345 Department of Safety – Wesley Colby, Director, Division of Administration, Department of Safety, responded to questions of the Committee.

On a motion by Representative Franklin, seconded by Representative Eaton, that the Committee approve the request of the Department of Safety to accept and expend \$75,696.65. MOTION ADOPTED.

EIS 07-346 Department of Safety – On a motion by Representative King, seconded by Representative Eaton, that the Committee approve the request of the Department of Safety to accept and expend \$84,430.88. MOTION ADOPTED.

EIS 07-363 Department of Education – Mary Heath, Assistant Commissioner, and Michael Bieniek, Business Administrator, Department of Education responded to questions of the Committee.

On a motion by Representative King, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Education to budget and expend \$376,555.55 in prior year carry forward federal funds. MOTION ADOPTED.

EIS 07-371 Department of Transportation – at the Department's request, a motion was made by Representative Eaton, seconded by Representative Kurk, that the Committee table the request to accept and expend \$900,000. MOTION ADOPTED.

RSA 124:15 POSITIONS RESTRICTED:

On a motion by Representative Eaton, seconded by Senator Larsen, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [EIS 07-359 Department of Safety – authorization to establish a part-time Criminalist I position through September 30, 2008 and EIS 07-368 Department of Justice – authorization to establish one (1) part-time consultant position within budget class 046 (consultants) through June 30, 2009]

RSA 12-G:42, XI PEASE DEVELOPMENT AUTHORITY, ADOPTION OF RULES:

EIS 07-343 Pease Development Authority – On a motion by Senator D'Allesandro, seconded by Representative Kurk, that the Committee approve the request of the Pease Development Authority for approval of administrative rules establishing a Seasonal Overnight Parking Permit Fee of \$150. 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 146-D:8 OIL DISCHARGE AND DISPOSAL CLEANUP FUND; ADMINISTRATIVE COSTS:

EIS 07-355 Department of Environmental Services – Thomas Burack, Commissioner, and Susan Carlson, Chief Financial Officer, Department of Environmental Services responded to questions of the Committee.

On a motion by Representative Franklin, seconded by Representative Eaton, that the Committee approve the request of the Department of Environmental Services to authorize the Oil Fund Disbursement Board to accept and expend \$460,000 in other funds. MOTION ADOPTED.

RSA 216-A:3-g FEES FOR PARK SYSTEM:

EIS 07-369 Department of Resources and Economic Development – request for approval of rate changes for camping, day use and historic sites was withdrawn by the agency.

CHAPTER 262:19, LAWS OF 2007, SPECIALTY HOSPITALS, PEDIATRIC CARE:

EIS 07-360 Department of Health and Human Services – Nicholas Toumpas, Acting Commissioner, Katie Dunn, Acting Director of the Office of Medicaid Business and Policy, and James Fredyma, Controller, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Larsen, that the Committee table the request of the Department of Health and Human Services for approval of one of four options for a new rate structure for pediatric specialty care. MOTION ADOPTED.

CHAPTER 334:1, LAWS OF 2007, APPROPRIATION; STATE MATCHING FUNDS FOR MAY 2006 DISASTER ASSISTANCE GRANTS:

EIS 07-364 Department of Safety – On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Safety to distribute \$804,034.94 in State Matching Funds for Federal Emergency Management Agency Disaster Assistance Grants. MOTION ADOPTED.

CHAPTER 334:2, LAWS OF 2007, APPROPRIATION; STATE MATCHING FUNDS FOR APRIL 2007 DISASTER ASSISTANCE GRANTS:

EIS 07-365 Department of Safety – On a motion by Senator D'Allesandro, seconded by Representative Eaton, that the Committee approve the request of the Department of Safety to distribute \$888,034.58 in State Matching Funds for Federal Emergency Management Agency Disaster Assistance Grants. MOTION ADOPTED.

CHAPTER 568:11, LAWS OF 1981, USE OF STATE-OWNED PASSENGER AUTOMOBILES:

EIS 07-342 Department of Administrative Services – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee table the request by the Department of Administrative Services for various departments to retain state owned passenger automobiles with FY 2007 reported mileage less than 12,000 miles. MOTION ADOPTED.

LATE ITEMS:

EIS 07-372 Department of Environmental Services – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Environmental Services to budget and expend \$1,300,000 in prior year carry forward other funds through September 30, 2008. MOTION ADOPTED.

EIS 07-373 Office of Energy and Planning – Amy Ignatius, Director, and Donna Raymond, Fiscal Director, Office of Energy and Planning presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Franklin, with Senator Sgambati abstaining from the vote, that the Committee approve the request of the Office of Energy and Planning to budget and expend \$142,306 in prior year carry forward funds through June 30, 2009. MOTION ADOPTED. (8-Yes, 1-No)

EIS 07-375 Department of Justice – Orville B. Fitch, Deputy Attorney General, and Rosemary Faretra, Director of Administration, presented the request and 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 Justice to accept and expend a charitable trust grant from PEW Charitable Trusts in the amount of \$189,500. MOTION ADOPTED.

EIS 07-374 Office of Energy and Planning – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Office of Energy and Planning to budget and expend \$569,259 in prior year carry forward funds through June 30, 2009. MOTION ADOPTED. (9-Yes, 1-No)

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

ADJOURNMENT:

The next regular meeting of the Fiscal Committee was set for Thursday, December 13, 2007 at 9:00 a.m. (Whereupon the meeting adjourned at 11:05 a.m.)