

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

November 22, 2013

The Fiscal Committee of the General Court met on Friday, November 22, 2013 at 9:30 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Mary Jane Wallner, Chairman  
Representative Ken Weyler, Clerk  
Representative Peter Leishman  
Representative Bernard Benn (Alternate)  
Representative Naida Kaen (Alternate)  
Senator Jeanie Forrester  
Senator Bob Odell  
Senate President Chuck Morse  
Senator Sylvia Larsen  
Senator Andy Sanborn

Chairman Wallner opened the meeting at 9:37 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Weyler, seconded by Senator Larsen, that the minutes of the October 18, 2013 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

FIS 13-081 Letter from Representative Lucy McVitty Weber, Chairman of the Legislative Performance Audit and Oversight Committee relative to the recommendation of the performance audit topics for 5) Police Standards and Training Council, The Council in Performance of its Charter. Tabled 03/08/13. No Action Taken.

NEW BUSINESS:

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

CONSENT CALENDAR

On a motion by Representative Benn, seconded by Senator Larsen, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 13-244 Department of Safety – transfer \$1,440,319]

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

At the request of Representative Leishman, FIS 13-239 Department of Environmental Services and FIS 13-257 Department of Justice, and at the request of Senator Sanborn, FIS 13-254 Department of Resources and Economic Development were removed from the consent calendar.

On a motion by Senator Larsen, seconded by Representative Kaen, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 13-245 Department of Environmental Services – authorization for the Oil Fund Disbursement Board to budget and expend \$1,250,000 in prior year carry forwards funds through June 30, 2015, and FIS 13-256 Department of Health and Human Services – accept and expend \$414,964]

FIS 13-239 Department of Environmental Services – On a motion by Senator Odell, seconded by Senator Forrester, that the Committee approve the request of the Department of Environmental Services to accept and expend \$182,262. MOTION ADOPTED.

FIS 13-254 Department of Resources and Economic Development – Brad Simpkins, Interim Director, Division of Forests and Lands, and Susan Francher, Administrator, Planning and Community Forestry Bureau, Department of Resources and Economic Development presented the request and responded to questions of the Committee.

On a motion by Senator Odell, seconded by Senator Sanborn, that the Committee approve the request of the Department of Resources and Economic Development to accept \$9,100,000 in federal grant funds and assign it directly to Plum Creek Maine Timberlands, L.L.C. to pay the purchase price for acquisition of a Conservation Easement on 22,991 +/- acres in the Towns of Cambridge, Errol and Wentworth Location in Coos County, known as the “Androscoggin Headwaters Forest Legacy Project”. MOTION ADOPTED.

FIS 13-257 Department of Justice – Ann Rice, Deputy Attorney General, Allen Brooks, Chief, Environmental Protection Bureau, Department of Justice, and Michael Wimsatt, Director, Waste Management Division, Department of Environmental Services presented the request and responded to questions of the Committee.

Representative Leishman requested that the quarterly Department of Environmental Services report to the Department of Justice be submitted monthly, with a copy submitted to the Fiscal Committee.

On a motion by Representative Leishman, seconded by Senator Larsen, that the Committee approve the request of the Department of Justice to accept and expend \$22,316,661. 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 RESTRICTED:

CONSENT CALENDAR

At the request of Representative Leishman and Senator Sanborn respectively, FIS 13-246 Department of Environmental Services and FIS 13-247 Department of Insurance were removed from the consent calendar.

FIS 13-246 Department of Environmental Services – On a motion by Senator Larsen, seconded by Representative Kaen, that the Committee approve the request of the Department of Environmental Services to 1) accept and expend \$22,316,661 in “MTBE” settlement funds from the Department of Justice through June 30, 2015, and 2) establish five (5) full-time temporary positions consisting of; one (1) Administrator IV position, one (1) Administrator III position, one (1) Civil Engineer VI position, and two (2) Environmentalist IV positions through June 30, 2015. MOTION ADOPTED.

FIS 13-247 Insurance Department – Tyler Brannen, Health Care Policy Analyst, and Alain Couture, Senior Insurance Company Examiner, New Hampshire Insurance Department, presented the request and responded to questions of the Committee.

On a motion by Senator Sanborn, seconded by Senator Larsen, that the Committee approve the request of the Insurance Department to 1) accept and expend \$2,318,181 in federal funds for FY 2014-2015 through June 30, 2015, and 2) establish a Class 046 (Consultants) to enter into contracts for consulting services with various vendors through June 30, 2015. MOTION ADOPTED.

RSA 7:12, ASSISTANTS:

FIS 13-252 Department of Justice – On a motion by Representative Leishman, seconded by Senator Larsen, that the Committee approve the request of the Department of Justice to accept and expend a sum not to exceed \$900,000 from funds not otherwise appropriated for the purpose of covering projected shortfalls in the general litigation expenses incurred in the defense of the State and the prosecution of criminal law through June 30, 2014. MOTION ADOPTED.

CHAPTER 144:56, LAWS OF 2013, DEPARTMENT OF CORRECTIONS; TRANSFERS:

FIS 13-248 Department of Corrections – William Wrenn, Commissioner, and Robert Mullen, Director of Administration, Department of Corrections, presented the request and responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Representative Benn, that the Committee approve the request of the Department of Corrections to transfer \$1,032,000 in general funds through June 30, 2014. MOTION ADOPTED.

CHAPTER 144:95, LAWS OF 2013, DEPARTMENT OF TRANSPORTATION; TRANSFER OF FUNDS:

FIS 13-261 Department of Transportation – On a motion by Senator Larsen, seconded by Representative Weyler, that the Committee approve the request of the Department of Transportation to transfer \$260,450 in highway funds through June 30, 2014. MOTION ADOPTED.

CHAPTER 144:177, LAWS OF 2013, STATE EMPLOYEE HEALTH PLAN; APPLICATION:

FIS 13-249 Additional Information Department of Administrative Services – request to Withdraw FIS 13-249 Department of Administrative Services request for authorization to change the health plan design, dental plan design and cost sharing amounts, and the level of life insurance of unrepresented active state employees who participate in the State Employee Health Plan, effective January 1, 2014. ITEM WITHDRAWN.

LATE ITEM:

FIS 13-264 Department of Corrections – On a motion by Representative Leishman, seconded by Senator Larsen that the Committee approve the request of the Department of Corrections to purchase a 48” Omega 100 series Signmasker in an amount not to exceed \$18,700 through June 30, 2014. MOTION ADOPTED.

MISCELLANEOUS:

Michael Kane, Deputy Legislative Budget Assistant, requested authorization by the Committee to release publicly, as soon as they are available, the: FY 2013 Comprehensive Annual Financial Report for the State of New Hampshire; the FY 2013 Comprehensive Annual Financial Report for the Turnpike System; the FY 2013 Comprehensive Annual Financial Report for the Lottery System; and the FY 2013 Annual Reports of the UNIQUE College Investing Plan and the Fidelity Advisor 529 Plan.

On a motion by Senator Sanborn, seconded by Senator Larsen, that the Committee approve the request of the Office of Legislative Budget Assistant to release publicly, as soon as they are available, the: FY 2013 Comprehensive Annual Financial Report for the State of New Hampshire; the FY 2013 Comprehensive Annual Financial Report for the Turnpike System; the FY 2013 Comprehensive Annual Financial Report for the Lottery System; and the FY 2013 Annual Reports of the UNIQUE College Investing Plan and the Fidelity Advisor 529 Plan. MOTION ADOPTED.

FIS 13-263 Office of Legislative Budget Assistant – Michael Kane, Deputy Legislative Budget Assistant, presented the request and responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Representative Leishman, that the Committee approve the request of the Office of Legislative Budget Assistant for benefits as provided for classified employees, for employees of the Office of Legislative Budget Assistant effective January 1, 2014. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Department of Education, Internal Control Over Adequate Education Aid Calculations, November 2013 – Richard Mahoney, Director of Audits, and James LaRiviere, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Virginia Barry, Commissioner, and Paul Leather, Deputy Commissioner, Department of Education, were also present to respond to questions of the Committee. Also present was Ronald LeClerc, Systems Development Specialist, Bureau of Data Management, Department of Education.

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

State of New Hampshire, Department of Corrections, Transitional Housing And Work Release Program, Performance Audit Report, November 2013 – Richard Mahoney, Director of Audits, and Jay Henry, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. William Wrenn, Commissioner, and Robert Mullen, Director of Administration, Department of Corrections, were also present to respond to questions of the Committee.

On a motion by Representative Weyler, seconded by Senator Forrester, 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 Friday, January 10, 2014 at 10:00 a.m. (Whereupon the meeting adjourned at 11:09 a.m.)

  
Representative Ken Weyler, Clerk