

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES  
August 25, 2017

The Fiscal Committee of the General Court met on Friday, August 25, 2017 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 Marjorie Smith (Alternate)  
Representative Daniel Eaton  
Senator Gary Daniels  
Senate President Chuck Morse  
Senator Dan Feltes (Alternate)  
Senator Andy Sanborn  
Senator John Reagan

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

ACCEPTANCE OF MINUTES:

On a motion by Senator Daniels, seconded by Representative Eaton, that the minutes of the June 16, 2017 meeting be accepted as written. MOTION ADOPTED.

On a motion by Representative Weyler, seconded by Senator Reagan, that the corrected minutes of the May 12, 2017 meeting be accepted as written. MOTION ADOPTED.

NEW BUSINESS:

RSA 9:16-a, TRANSFERS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator Feltes, seconded by Representative Weyler, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 17-143 Department of Health and Human Services – authorization to transfer \$7,700,000 for FY 2018 and \$7,700,000 for FY 2019 for a combined total of \$15,400,000 retroactive to July 1, 2017 through June 30, 2019]

RSA 9:16-c, I, TRANSFER OF FEDERAL GRANT FUNDS AND 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 Senator Daniels, FIS 17-121 Department of Safety was removed from the Consent Calendar.

FIS 17-121 Department of Safety – Steven Lavoie, Director of Administration, Department of Safety, responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator Reagan, that the Committee approve the request of the Department of Safety to; 1) transfer \$36,635 in federal funds through April 6, 2018, and 2) accept and expend \$106,788 in federal funds through April 6, 2018. 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:  
CONSENT CALENDAR

At the request of Senator Sanborn, requests FIS 17-113 Department of Environmental Services, FIS 17-117 Department of Health and Human Services, and FIS 17-125 Department of Natural and Cultural Resources were removed from the Consent Calendar and at the further request of Representative's Smith and Ober respectively, requests FIS 17-138 Department of Health and Human Services and FIS 17-142 Adjutant General's Department were also removed.

On a motion by Senator Reagan, seconded by Representative Weyler, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 17-107 Department of Environmental Services – authorization to retroactively amend FIS 16-084, approved May 20, 2016, by extending the end date only from June 30, 2017 to December 31, 2018, FIS 17-122 Department of Environmental Services – authorization to budget and expend \$20,000,000 in prior year carry forward other funds through June 30, 2019, FIS 17-123 Department of Justice – authorization to budget and expend \$137,925 in prior year carry forward other funds through June 30, 2019, FIS 17-124 Department of Justice – authorization to retroactively amend FIS 15-246, approved December 18, 2015, by extending the end date from June 30, 2017 to September 30, 2018, with no increase in funding, FIS 17-126 Department of Safety – authorization to retroactively accept and expend \$165,087 in other funds for the period of July 1, 2017 through September 30, 2017, FIS 17-127 Department of Safety – authorization to accept and expend \$838,550 in federal funds through December 31, 2017]

FIS 17-113 Department of Environmental Services – Susan Carlson, Chief Operations Officer, Department of Environmental Services, responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator Reagan, that the Committee approve the request of the Department of Environmental Services to retroactively amend FIS 17-009, approved January 13, 2017, by extending the end date from June 30, 2017 to December 31, 2018. MOTION ADOPTED.

FIS 17-117 Department of Health and Human Services – 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 Senator Feltes, seconded by Senator Reagan, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$70,069,998 in federal funds through June 30, 2019. MOTION ADOPTED.

The Committee requested the Department of Health and Human Services provide documentation to show the effectiveness of the Medicaid to Schools Program.

FIS 17-125 Department of Natural and Cultural Resources – Brad Simpkins, Director, Division of Forests and Lands, and Christopher Marino, Business Administrator, Department of Natural and Cultural Resources, responded to questions of the Committee.

On a motion by Representative Ober, seconded by Representative Weyler, that the Committee approve the request of the Department of Natural and Cultural Resources to retroactively extend the end date from June 30, 2017 to June 30, 2018, with no increase in funding, for the acquisition of conservation easements originally approved February 17, 2017 (FIS 17-030). MOTION ADOPTED. (8-Yes, 2-No)

FIS 17-138 Department of Health and Human Services – 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 Eaton, seconded by Representative Ober, that the Committee table the request of the Department of Health and Human Services to retroactively accept and expend \$178,865 in other funds for the period of July 3, 2017 through June 30, 2018. MOTION ADOPTED.

FIS 17-142 The Adjutant General's Department – Major General William Reddel, Adjutant General, and Stephanie Milender, Administrator, Adjutant General's Department, responded to questions of the Committee.

On a motion by Representative Ober, seconded by Senator Reagan, that the Committee approve the request of the Adjutant General's Department to accept and expend \$839,412 in federal funds through September 30, 2017. MOTION ADOPTED.

RSA 124:15 POSITIONS AUTHORIZED:

CONSENT CALENDAR

On a motion by Representative Kurk, seconded by Representative Weyler, that the Committee approve the request under this section as submitted. MOTION ADOPTED. [FIS 17-118 Department of Corrections – authorization to; 1) retroactively extend one (1) temporary part-time Victim Witness Specialist (LG 26) position for the period of July 1, 2017 through June 30, 2018 (originally approved (FIS 16-036) March 18, 2016 and subsequently amended (FIS 16-143) September 16, 2016)]

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 17-114 Insurance Department, FIS 17-129 Department of Safety, FIS 17-140 Insurance Department, and FIS 17-141 Department of Health and Human Services were removed from the Consent Calendar.

On a motion by Representative Eaton, seconded by Senator Reagan, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 17-128 Department of Safety – authorization to retroactively; 1) accept and expend \$320,398 in federal funds for the period of July 1, 2017 through September 5, 2018, and contingent upon approval of request #1, 2) continue one (1) temporary part-time Program Specialist III (LG 23) position for the period of July 1, 2017 through September 5, 2018, and FIS 17-130 Department of Safety – authorization to retroactively; 1) accept and expend \$136,153 in other funds for the period of July 1, 2017 through September 30, 2017, and contingent upon approval of request #1, 2) continue two (2) temporary full-time Department of Safety Hearings Examiner Prosecutor (LG 31) positions for the period of July 1, 2017 through September 30, 2017]

For discussion purposes Insurance Department requests FIS 17-140 and FIS 17-114 were taken up jointly.

FIS 17-140 and FIS 17-114 Insurance Department – Alex Feldvebel, Deputy Commissioner, and Alain Couture, Health Reform Coordinator, Insurance Department, presented the request and responded to questions of the Committee.

On a motion by Senator Feltes, seconded by Representative Weyler, that the Committee jointly approve the requests of the Insurance Department. MOTION FAILED. (5-Yes, 5-No) [FIS 17-114 Insurance Department – authorization to; 1) accept and expend \$536,561 in federal funds through October 30, 2018, and 2) establish a Class 046 (Consultants) to enter into contracts for consulting services with various vendors through October 30, 2018, and FIS 17-140 Insurance Department – authorization to retroactively amend FIS 17-028, approved February 17, 2017 by; 1) extending the end date from June 30, 2017 to October 30, 2018, with no increase in funding, and 2) extending the end date from June 30, 2017 to October 30, 2018 for a consultant (Class 046) position]

On a motion by Representative Eaton, seconded by Senator Sanborn, that the Committee jointly table the requests of the Insurance Department. MOTION ADOPTED. (9-Yes, 1-No) [FIS 17-114 Insurance Department – authorization to; 1) accept and expend \$536,561 in federal funds through October 30, 2018, and 2) establish a Class 046 (Consultants) to enter into contracts for consulting services with various vendors through October 30, 2018, and FIS 17-140 Insurance Department – authorization to retroactively amend FIS 17-028, approved February 17, 2017 by; 1) extending the end date from June 30, 2017 to October 30, 2018, with no increase in funding, and 2) extending the end date from June 30, 2017 to October 30, 2018 for a consultant (Class 046) position]

FIS 17-129 Department of Safety – Steven Lavoie, Director of Administration, Department of Safety, responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Senator Feltes, that the Committee approve the request of the Department of Safety to retroactively; 1) accept and expend \$221,747 in other funds for the period of July 1, 2017 through September 30, 2017, and contingent upon approval of request #1, 2) continue one (1) temporary part-time Informational Representative II (LG 21) position for the period of July 1, 2017 through September 30, 2017. MOTION FAILED. (4-Yes, 6-No)

On a motion by Representative Eaton, seconded by Representative Ober, that the Committee table the request of the Department of Safety to retroactively; 1) accept and expend \$221,747 in other funds for the period of July 1, 2017 through September 30, 2017, and contingent upon approval of request #1, 2) continue one (1) temporary part-time Informational Representative II (LG 21) position for the period of July 1, 2017 through September 30, 2017. MOTION ADOPTED.

FIS 17-141 Department of Health and Human Services – Lisa Morris, Director, Division of Public Health Services, and Sheri Rockburn, Chief Financial Officer, Department of Health and Human Services, responded to questions of the Committee.

On a motion by Senator Feltes, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to; 1) accept and expend \$144,724 in federal funds through June 30, 2019, and contingent upon approval of request #1, further authorization to; 2) continue one (1) full-time Systems Development Specialist III (LG 23) position retroactive to July 1, 2017 through June 30, 2019 (originally approved (FIS 17-067) April 14, 2017). MOTION ADOPTED. (6-Yes, 4-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 CHAPTER 156:137, LAWS OF 2017, CONTINGENT APPROPRIATIONS, AND RSA 124:15 POSITIONS AUTHORIZED:

FIS 17-137 Office of Professional Licensure and Certification – Joseph Shoemaker, Director, Division of Health Professionals, and Michelle Ricco-Jonas, Program Manager, Prescription Drug Monitoring Program, Office of Professional Licensure and Certification, responded to questions of the Committee.

On a motion by Representative Smith, seconded by Senator Reagan, that the Committee only approve sections #1, #3, #4, and #5 of the request of the Office of Professional Licensure and Certification to; 1) retroactively amend FIS 14-015, approved February 14, 2014, to accept and expend \$222,821 in other funds through March 31, 2018, and contingent upon approval of request #1, retroactively; 3) amend FIS 14-015, approved February 14, 2014, by extending the end date for one (1) temporary full-time Administrator I (LG 27) position from June 30, 2017 through March 31, 2018, and 4) amend FIS 16-055, approved March 18, 2016, by extending the

end date for one (1) Administrative Assistant I (LG 16) position from June 30, 2017 to March 31, 2018, and 5) amend FIS 14-015, approved February 14, 2014, to establish a Consultant (Class 046) position through March 31, 2018. MOTION ADOPTED.

The Committee did not approve section #2 requesting to budget and expend \$100,000 in general funds through June 30, 2019.

RSA 7:6-f, DISPOSITION OF CONSUMER PROTECTION SETTLEMENT FUNDS:

FIS 17-132 Replacement Department of Justice – request to withdraw item FIS 17-132 Department of Justice – seeking approval to expend/budget settlements totaling \$600,857.89 received June 7, 2017 from Target Corporation, and June 29, 2017 from Johnson and Johnson. WITHDRAWN BY AGENCY.

RSA 227-G:5, I (b) FOREST FUNDS:

FIS 17-131 Department of Natural and Cultural Resources – On a motion by Representative Ober, seconded by Senator Reagan, that the Committee approve the request of the Department of Natural and Cultural Resources to budget and expend \$34,500 in other funds through June 30, 2018. MOTION ADOPTED.

RSA 363:28, III, OFFICE OF THE CONSUMER ADVOCATE:

FIS 17-116 Office of Consumer Advocate – On a motion by Senator Feltes, seconded by Representative Weyler, that the Committee approve the request of the Office of Consumer Advocate to amend FIS 16-121, approved August 5, 2016 and subsequently amended (FIS 17-035) on February 17, 2017, by increasing the contract amount by \$90,000, from the most recently approved amount of \$97,900 to \$187,900 in other funds and extend the end date from June 30, 2017 to June 30, 2019 with Strategen Consulting, LLC to provide expert services to support participation in the Net Energy Metering proceeding, docket number DE 16-576, before the NH Public Utilities Commission (NHPUC). MOTION ADOPTED. (9-Yes, 1-No)

CHAPTER 156:89, LAWS OF 2017, APPROPRIATION:

FIS 17-136 Department of Justice – Gordon MacDonald, Attorney General, and Thomas Grella, Detective Sergeant, Portsmouth Police Department, presented the request and responded to questions of the Committee.

On a motion by Representative Ober, to table the request of the Department of Justice for acceptance of expenditure plans for the New Hampshire Internet Crimes Against Children (ICAC) Task Force. No Action Taken.

The Committee recessed at 11:58 a.m. and reconvened at 12:06 p.m.

On a motion by Senator Sanborn, seconded by Senator Daniels, that the Committee approve the request of the Department of Justice for acceptance of expenditure plans for the New Hampshire Internet Crimes Against Children (ICAC) Task Force with the condition that the Department provide a detailed breakdown of the FY 2018 and FY 2019 budget for the N.H. ICAC Task Force, and additional performance measurements relative to the state funded portion of said program within 30 days of this approval. MOTION ADOPTED. (8-Yes, 2-No)

CHAPTER 156:183, LAWS OF 2017, DEPARTMENT OF HEALTH AND HUMAN SERVICES; UNFUNDED POSITIONS; AUTHORIZATION:

FIS 17-146 Department of Health and Human Services – Lori Shibinette, Deputy Commissioner, and Sheri Rockburn, Chief Financial Officer, Department of Health and Human Services presented the request and responded to questions of the Committee. A handout (FIS 17-146 Additional Information) was distributed to the Committee.

On a motion by Senator Morse, seconded by Senator Sanborn, that the Committee approve the request of the Department of Health and Human Services to retroactively fill 36 unfunded positions for the period of July 1, 2017 through June 30, 2019 and further fill 24 unfunded positions effective upon Fiscal Committee approval through June 30, 2019. MOTION ADOPTED.

CHAPTER 156:209, LAWS OF 2017, DEPARTMENT OF EDUCATION; CHARTERED PUBLIC SCHOOL PROGRAM OFFICER, AND RSA 9:16-a, TRANSFERS AUTHORIZED:

FIS 17-139 Department of Education – On a motion by Senator Reagan, seconded by Representative Weyler, that the Committee approve the request of the Department of Education to transfer \$425,500 in general funds in and among accounting units through June 30, 2019. MOTION ADOPTED.

MISCELLANEOUS:

INFORMATIONAL MATERIALS:

FIS 17-145 Department of Health and Human Services – Sheri Rockburn, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee regarding the Monthly Operating Statistics Dashboard SFY18 report through July 31, 2017.

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Community College System of New Hampshire, Performance Audit Report, August 2017 – Jay Henry, Supervisor, Performance Audits, and John Clinch, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the report and responded to questions of the Committee. Dr. Ross Gittell, Chancellor, Community College System of New Hampshire, and Jeremy Hitchcock, Trustee Member, CCSNH

Foundation, were present to respond to questions of the Committee.

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

DATE OF NEXT MEETING:

The next regular meeting of the Fiscal Committee was set for Friday, September 29, 2017 at 10:00 a.m. (Whereupon the meeting adjourned at 12:53 p.m.)

  
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Representative Ken Weyler, Clerk