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State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER

33 HAZEN DR. CONCORD, NH 03305

603/271-2791

JOHN J. BARTHELMES
COMMISSIONER

November 13, 2015

The Honorable Neal M. Kurk, Chairman
Fiscal Committee of the General Court
State House
Concord, New Hampshire 03301

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

[Signature] 12/18/15
Approved by Fiscal Committee Date

Requested Action

Pursuant to the provisions of Chapter 276:198, Laws of 2015, Transfer Among Accounts, authorize the Department of Safety's Division of State Police to transfer funds within various accounting units, as outlined below, in the amount of \$2,257,582.00 for SFY 2016 and \$2,295,067.00 for SFY 2017 to properly align the funding of accounting units based on federal requirements for Uniform Carrier Registration (UCR) revenues. Effective upon Fiscal Committee and Governor and Council approvals through June 30, 2017. Funding source: 100% Highway Funds.

02-23-23-234015 Dept. of Safety – Division of State Police

SFY 2016

Account	Description	Requested Increase / (Decrease)	
		General Funds	Highway Funds
23050000	Commercial Enforcement	(\$2,257,582)	\$2,257,582
40030000	Traffic Bureau	\$2,192,849	(\$2,192,849)
40050000	Auxiliary Police	\$10,823	(\$10,823)
40060000	Aircraft Surveillance	\$15,766	(\$15,766)
40140000	State Police Witness Fees	\$25,368	(\$25,368)
40180000	Ammunition	\$12,776	(\$12,776)

SFY 2017

Account	Description	Requested Increase / (Decrease)	
		General Funds	Highway Funds
23050000	Commercial Enforcement	(\$2,295,067)	\$2,295,067
40030000	Traffic Bureau	\$2,222,172	(\$2,222,172)
40050000	Auxiliary Police	\$11,001	(\$11,001)
40060000	Aircraft Surveillance	\$24,318	(\$24,318)
40140000	State Police Witness Fees	\$25,726	(\$25,726)
40180000	Ammunition	\$11,850	(\$11,850)

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Explanation

The Division of State Police's Commercial Enforcement accounting unit requires the realignment of funding in order to be in compliance with the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) restrictions that participating States use revenues generated under the Unified Carried Registration (UCR) program only for motor carrier safety programs, motor carrier enforcement programs, or administration of the UCR fee system. The Commercial Enforcement accounting unit is where the majority of expenses for motor carrier safety programs and motor carrier enforcement programs are charged and, as a result, needs to have the funding modified in order to ensure that the UCR funds received by the State and deposited in the Highway fund are applied to the Commercial Enforcement accounting unit's expenses. The current funding structure does not have enough Highway funding in the Commercial Enforcement accounting unit to be compliant with SAFETEA-LU; however, by shifting Highway and General funding between State Police accounting units, additional funding is not needed by the Department and compliance is obtained. The financial staff became aware of the SAFETEA-LU restriction after the passage of the budget. As soon as they became cognizant of this concern, efforts were commenced to rectify the issue.

The following information is provided in accordance with the Budget Officer's instructional memorandum dated April 17, 1985 to support the above requested actions:

Does this transfer involve continuing programs or one-time projects? The transfer involves continuing programs.

Is this transfer required to maintain the existing program level or will it increase the program level? This transfer is required to maintain existing program levels.

Cite any requirements which make this program mandatory. RSA 21-P


Identify the source of funds on all accounts listed on this transfer. The sources of funds impacted by this transfer are Highway and General funds.

Will there be any effect on revenue if this transfer is approved or disapproved? There will be an impact on Unified Carried Registration (UCR) revenue.

Are funds expected to lapse if this transfer is not approved? Yes, the funds will lapse if the transfer is not approved.

Are personnel services involved? Yes.

Respectfully submitted,


John J. Barthelmes
Commissioner of Safety

Department of Safety
 Division of State Police
 02-23-23-234015

FUND SFY 2016

AU	Description	*****Current Appropriation*****			***Requested Increase / (Decrease)***			*****Revised Appropriation*****		
		Highway 000015	Turnpike 000017	General 000010	Highway 000015	Turnpike 000017	General 000010	Highway 000015	Turnpike 000017	General 000010
23050000	Commercial Enforcement	\$1,855,507	\$0	\$3,803,257	\$2,257,582	\$0	(\$2,257,582)	\$4,113,089	\$0	\$1,545,675
40030000	Traffic Bureau	\$9,230,237	\$6,432,173	\$12,487,140	(\$2,192,849)	\$0	\$2,192,849	\$7,037,388	\$6,432,173	\$14,679,989
40050000	Auxiliary Police	\$45,559	\$31,748	\$61,635	(\$10,823)	\$0	\$10,823	\$34,736	\$31,748	\$72,458
40060000	Aircraft Surveillance	\$66,361	\$46,244	\$89,776	(\$15,766)	\$0	\$15,766	\$50,595	\$46,244	\$105,542
40140000	State Police Witness Fees	\$106,780	\$74,410	\$144,457	(\$25,368)	\$0	\$25,368	\$81,412	\$74,410	\$169,825
40180000	Ammunition	\$53,776	\$37,474	\$72,750	(\$12,776)	\$0	\$12,776	\$41,000	\$37,474	\$85,526
					<u>(\$2,257,582)</u>		<u>\$2,257,582</u>			

FUND SFY 2017

AU	Description	*****Current Appropriation*****			***Requested Increase / (Decrease)***			*****Revised Appropriation*****		
		Highway 000015	Turnpike 000017	General 000010	Highway 000015	Turnpike 000017	General 000010	Highway 000015	Turnpike 000017	General 000010
23050000	Commercial Enforcement	\$1,938,828	\$0	\$3,954,265	\$2,295,067	\$0	(\$2,295,067)	\$4,233,895	\$0	\$1,659,198
40030000	Traffic Bureau	\$9,254,356	\$6,421,788	\$12,452,590	(\$2,222,172)	\$0	\$2,222,172	\$7,032,184	\$6,421,788	\$14,674,762
40050000	Auxiliary Police	\$45,816	\$31,793	\$61,649	(\$11,001)	\$0	\$11,001	\$34,815	\$31,793	\$72,650
40060000	Aircraft Surveillance	\$101,306	\$70,306	\$136,338	(\$24,318)	\$0	\$24,318	\$76,988	\$70,306	\$160,656
40140000	State Police Witness Fees	\$107,138	\$74,345	\$144,164	(\$25,726)	\$0	\$25,726	\$81,412	\$74,345	\$169,890
40180000	Ammunition	\$49,350	\$34,245	\$66,405	(\$11,850)	\$0	\$11,850	\$37,500	\$34,245	\$78,255
					<u>(\$2,295,067)</u>		<u>\$2,295,067</u>			

284:21-b Organization.

I. The commissioners shall select one from their number to be chairperson and another to be secretary of the commission. Two of the members of the commission shall constitute a quorum to do business. It shall be the duty of the secretary to keep a record of all proceedings of the commission and to preserve all books, documents, papers and records addressed to its care.

II. The commissioners shall appoint an executive director who shall receive the annual salary prescribed by RSA 94:1-a. The lottery executive director shall hold office for a term of 4 years. If a vacancy shall occur, it shall be filled for the remainder of the term. The lottery executive director may be removed by the commission for cause. Upon the effective date of this paragraph, the person who was the executive director shall commence the beginning of the first 4-year term, subject to renewal.

276:197 New Paragraph; Building Code Review Board; Travel Reimbursement. Amend RSA 155-A:10 by inserting after paragraph VI the following new paragraph:

VII. Members of the board shall receive mileage at the rate established in the United States Internal Revenue Code and Regulations when attending meetings of the board for the round trip distance from their residences to the location of the board meeting.

* 276:198 Department of Safety; Transfer Among Accounts. Notwithstanding any provision of law to the contrary, except RSA 9:17-c and RSA 99:4, for the biennium ending June 30, 2017, the commissioner of the department of safety is hereby authorized to transfer funds between and among all class lines and accounting units within the department as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided that any transfer over \$75,000 shall require prior approval of the fiscal committee of the general court and the governor and council.

276:199 Health and Human Services; Nursing Home Appropriations. Amend 2013, 143:1, accounting unit 05-95-48-481510-5942 by replacing the organizational notes immediately following such accounting unit with the following:

ORGANIZATION NOTES

*The appropriation contained in classes 504, 505, 506, and 529 may only be transferred between and among said classes. The appropriations shall not lapse or be used for any other purpose. The appropriations shall not be considered for budget reductions required pursuant to sections 10 and 14 of this act or any other budget reduction, including executive orders required of the department of health and human services. Any balance remaining at the end of each fiscal year shall be paid as additional rates based upon the rate setting methodology in effect at that time in a special rate adjustment.

276:200 Health and Human Services; Nursing Home Appropriations. Pursuant to the