



**THE STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF TRANSPORTATION**



**Victoria F. Sheehan**  
**Commissioner**

**William Cass, P.E.**  
**Assistant Commissioner**

December 21, 2015  
 Division of Operations

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

*[Signature]*  
 Approved by Fiscal Committee Date

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

**REQUESTED ACTION**

Pursuant to Chapter 276:29, Laws of 2015, authorize the Department of Transportation to establish various non-budgeted classes in various accounting units and to transfer \$3,500,400 between various accounts and classes effective upon Fiscal Committee and the date of Governor and Council approval through June 30, 2016.

04-096-096-960515-3005	Current Budget FY 2016	Requested Change	Revised Budget FY 2016
<b>Mechanical Services</b>			
<b>Expenses:</b>			
010 500100 Personal Services – Permanent	\$3,590,034	\$0	\$3,590,034
017 500147 FT Employees Special Payment	21,699	0	21,699
018 500106 Overtime	56,504	(400)	56,104
019 500105 Holiday Pay	0	400	400
020 500200 Current Expense	8,128,891	0	8,128,891
022 500255 Rents-Leases Other than State	26,374	0	26,374
023 500291 Heat, Electricity, Water	62,710	0	62,710
024 500225 Maint Other than Build-Grn	361,189	0	361,189
026 500251 Organizational Dues	500	0	500
028 582814 Transfers To General Services	386,027	0	386,027
030 500311 Equipment New/Replacement	3,415,711	0	3,415,711
037 500174 Technology-Hardware	6,750	0	6,750
038 500175 Technology-Software	139,382	0	139,382
039 500180 Telecommunications	33,250	0	33,250
046 500464 Eng Consultants	199	0	199
047 500240 Own Forces Maint Build.-Grnds	28,773	0	28,773
048 500226 Contractual Maint.-Build-Grnds	45,000	0	45,000
050 500109 Personal Service-Temp	15,001	0	15,001
057 500535 Books, Periodicals, Subscriptions	799	0	799
060 500601 Benefits	2,214,709	0	2,214,709
066 500555 Employee Training	4,000	0	4,000
070 500704 In-State Travel Reimbursement	1,000	0	1,000
080 500710 Out of State Travel	3,247	0	3,247
103 502664 Contracts for Operational Services	6,500	0	6,500
<b>Total</b>	<b>\$18,548,249</b>	<b>\$0</b>	<b>\$18,548,249</b>

<b>Source of Funds</b>			
<b>Revenue:</b>			
004 403631 Intra Agency Transfers	\$657,700	0	\$657,700
009 405698 Agency Income	702,819	0	702,819
000 000015 Highway Funds	17,187,730	0	17,187,730
<b>Total</b>	<b>\$18,548,249</b>	<b>\$0</b>	<b>\$18,548,249</b>

<b>04-096-096-963015-3049 Non-Participating Construction / Reconstruction</b>	<b>Current Budget FY2016</b>	<b>Requested Change</b>	<b>Revised Budget FY2016</b>
<b>Expenses:</b>			
046 500463 Consultants	\$3,941,197	\$500,000	\$4,441,197
400 500870 Construction-Repairs & Materials	5,893,551	(3,500,000)	2,393,551
401 500876 Land Interest	193,200	3,000,000	3,193,200
<b>Total</b>	<b>\$10,027,948</b>	<b>\$0</b>	<b>\$10,027,948</b>

<b>Source of Funds</b>			
<b>Revenue:</b>			
000 409151 Federal Funds	\$560,573	\$0	\$560,573
000 000015 Highway Funds	9,467,375	0	9,467,375
<b>Total</b>	<b>\$10,027,948</b>	<b>\$0</b>	<b>\$10,027,948</b>

### EXPLANATION

The Department requests authorization to transfer budgeted account funds among the various accounts in order to pay for services incurred in meeting the State's transportation demands. Specific explanations relating to the Department's spending requests are as follows:

**Mechanical Services (3005) – 3.55% Intra-Agency Transfers, 3.79% Agency Income, 92.66% Highway Funds**

Class 018        Decrease Overtime by \$400. Overtime expenses will be managed to accommodate this request.

Class 019        Increase Holiday Pay by \$400 to cover payroll expense for staff member that worked on Labor Day.

**Non-Participating Construction (3049) 5.59% Federal Funds and 94.41% Highway Funds**

Class 046        Increase Consultants by \$500,000. The requested transfer is to align appropriations to accurately reflect the class line activity for transactions related to the engineering and right of way of projects within the State. No new consultants will be used.

Class 400        Decrease Construction Repairs by \$3,500,000. The requested transfer is to align appropriations to accurately reflect the class line activity for transactions related to the engineering and right of way of projects within the State.

Class 401        Increase Land Interest by \$3,000,000. The requested transfer is to align appropriations to accurately reflect the class line activity for transactions related to the engineering and right of way of projects within the State.

The Department of Transportation (DOT) identified a potential contingency related to regulations in the US Code for FHWA-funded projects that would require potential reimbursement of federally funded preliminary engineering and right-of-way costs if construction had not begun or progressed within a specified time period. Specifically, these are US Code 23 Section 102(b) (preliminary engineering) and US Code 23 Section 108 (a)(2) (right-of-way). These sections are as follows:

*US Code 23 Section 102 (b): Engineering Cost Reimbursement—If on-site construction of, or acquisition of right-of-way for, a highway project is not commenced within 10 years (or such period as the State requests and the Secretary (of FHWA) determines to be reasonable) after the date on which Federal funds are first made*

*available, out of the Highway Trust Fund (other than Mass Transit Account), for preliminary engineering of such project, the State shall pay an amount equal to the amount of Federal funds made available for such engineering. The Secretary shall deposit in such Fund all amounts paid to the Secretary under this section.*

*US Code 23 Section 108 (a)(2): Advance Acquisition of Real Property—Construction—The agreement between the Secretary and the State for the reimbursement of the cost of the real property shall provide for the actual construction of the transportation improvement within a period not to exceed 20 years following the fiscal year for which the request is made, unless the Secretary determines that a longer period is reasonable.*

State DOT has no history of being required to make reimbursement to the Federal government under either of these two sections of the US Code. However, at the end of calendar year 2014, the State became aware of more aggressive pursuits of reimbursements under these sections of the code by FHWA.

This transfer is to align appropriations for required reimbursements by FHWA for preliminary engineering and right of way costs associated with Federal aid projects that will not move to construction and non-participating construction costs associated with Federal aid projects.

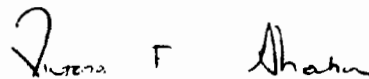
The Department will maintain obligational authority of these Federal funds after pay back and will use these to advance project(s) within the Federal Highway project plan.

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

1. Does transfer involve continuing programs or one-time projects?  
Transfers are for continuing programs (not one-time).
2. Is this transfer required to maintain existing program level or will it increase program level?  
Transfers are to maintain existing program levels (no increase in program level).
3. Cite any requirements, which make this program necessary.  
RSA 21-L:2, in part, establishes that the Department will be responsible for planning, developing, and maintaining a state transportation network. This transfer will facilitate the accomplishment of this responsibility.
4. Identify the source of funds on all accounts listed on this transfer.  
Source of funds is Highway Funds.
5. Will there be any effect on revenue if this transfer is approved or disapproved?  
This transfer will have no effect on revenue.
6. Are funds expected to lapse if this transfer is not approved?  
Should funds lapse as a result of not approving this request for project funding, such funds will lapse to their respective account fund balances.
7. Are personal services involved?  
The transfer does not result in any new positions.

Your approval of this resolution is respectfully requested.

Sincerely,



Victoria F. Sheehan  
Commissioner



**THE STATE OF NEW HAMPSHIRE**  
DEPARTMENT OF TRANSPORTATION



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**Victoria F. Sheehan**  
Commissioner

**William Cass, P.E.**  
Assistant Commissioner

December 31, 2015  
Bureau of Aeronautics

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

*[Signature]*  
Approved by Fiscal Committee Date 1/22/16

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

**REQUESTED ACTION**

Pursuant to Chapter 276:29, Laws of 2015, authorize the Department of Transportation to establish various non-budgeted classes in various accounting units and to transfer \$136 between various accounts and classes effective upon Fiscal Committee and the date of Governor and Council approval through June 30, 2016.

	Current Budget FY 2016	Requested Change	Revised Budget FY 2016
04-096-096-964010-2107			
<b>Aeronautics</b>			
<b>Expenses:</b>			
010 500100 Personal Services – Permanent	\$311,574	\$0	\$311,574
011 500110 Personal Services – Unclassified	90,551	0	90,551
018 500106 Overtime	2,800	0	2,800
019 500105 Holiday Pay	0	136	136
020 500200 Current Expense	15,212	(136)	15,076
022 500255 Rents-Leases Other than State	7,343	0	7,343
023 500291 Heat, Electricity, Water	3,300	0	3,300
024 500225 Maint Other than Build-Grn	3,575	0	3,575
026 500251 Organizational Dues	525	0	525
029 500290 Intra-Agency Transfers	6,500	0	6,500
030 500311 Equipment New/Replacement	2,200	0	2,200
035 509035 Shared Services Support	1,883	0	1,883
037 500174 Technology-Hardware	1,000	0	1,000
039 500180 Telecommunications	5,600	0	5,600
050 500109 Personal Service-Temp	27,000	0	27,000
057 500535 Books, Periodicals, Subscriptions	1,107	0	1,107
060 500601 Benefits	224,029	0	224,029
065 500541 Board Expenses	500	0	500
067 500557 Training of Providers	500	0	500
070 500704 In State Travel Reimbursement	360	0	360
073 500581 Grants Non Federal	250,000	0	250,000
080 500710 Out of State Travel	300	0	300
404 500880 Intra Indirect Costs	13,878	0	13,878
<b>Total</b>	<b>\$969,737</b>	<b>\$0</b>	<b>\$969,737</b>

<b>Source of Funds</b>			
<b>Revenue:</b>			
009 407571 Agency Income	\$142,773	0	142,773
000 000010 General Funds	826,964	0	826,964
<b>Total</b>	<b>\$969,737</b>	<b>\$0</b>	<b>\$969,737</b>

### EXPLANATION

The Department requests authorization to transfer budgeted account funds among the various accounts in order to pay for services incurred in meeting the State's transportation demands. Specific explanations relating to the Department's spending requests are as follows:

#### Aeronautics (2107) – 26% Agency Income, 74% General Funds

Class 019      Increase Holiday Pay by \$136 to cover payroll expense for staff members that worked on the day after Thanksgiving. The Bureau of Aeronautics responded to an aircraft accident at the Portsmouth International Tradeport at Pease.

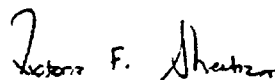
Class 020      Decrease Current Expenses by \$136. The expenditures in this class will be managed to accommodate this transfer.

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

1. Does transfer involve continuing programs or one-time projects?  
Transfers are for continuing programs (not one-time).
2. Is this transfer required to maintain existing program level or will it increase program level?  
Transfers are to maintain existing program levels (no increase in program level).
3. Cite any requirements, which make this program necessary.  
RSA 21-L:2, in part, establishes that the Department will be responsible for planning, developing, and maintaining a state transportation network. This transfer will facilitate the accomplishment of this responsibility.
4. Identify the source of funds on all accounts listed on this transfer.  
Source of funds is General Funds.
5. Will there be any effect on revenue if this transfer is approved or disapproved?  
This transfer will have no effect on revenue.
6. Are funds expected to lapse if this transfer is not approved?  
Should funds lapse as a result of not approving this request for project funding, such funds will lapse to their respective account fund balances.
7. Are personal services involved?  
The transfer does not result in any new positions.

Your approval of this resolution is respectfully requested.

Sincerely,



Victoria F. Sheehan  
Commissioner