



NH Lakes Management and Protection Program
NH Lakes Management Advisory Committee



Policy and Procedure
for the
LMAC Policy and Legislation Subcommittee

Approved: July 2014
Proposed Amendment: January 2018

Introduction

As part of its duties, the Lakes Management Advisory Committee (LMAC) routinely tracks and provides testimony on New Hampshire legislation relating to the Lakes Management and Protection Act. Topics tracked include lake water quality and quantity, boating, [access to public waters](#), instream flow, bills affecting lakes and watersheds in general, and laws affecting government boards and commissions.

The criteria and procedures outlined in this document provide guidance and enable the LMAC's Policy and Legislation (P&L) Subcommittee to research, track and recommend testimony on LMPP relevant legislation to the New Hampshire General Court. Any subcommittee of the LMAC, which is an advisory committee established by the New Hampshire legislature with members appointed by the Governor and the Executive Council, must comply with RSA 91-A, Access to Governmental Records and Meetings, also known as the "Right-to-Know" law.

P&L Subcommittee Membership

To assist it with researching, tracking, and testifying on legislation, the LMAC has created a Policy and Legislation (P&L) Subcommittee, composed of ~~at least 5~~ **four to six** voting members of the LMAC. The Chair of the LMAC, with advice from the full LMAC, appoints representatives of the LMAC to the P&L Subcommittee. Membership of the P&L Subcommittee shall be reviewed annually by the LMAC Chair. The P&L Subcommittee will elect its own Chair.

Comment [TS1]: More than six we would then have a quorum of the full LMAC, and it would therefore no longer be a subcommittee.

Process for Submission of Letters of Testimony

The P&L Subcommittee Chair, with assistance from the Lakes Program staff, will identify legislation of concern to the LMAC. In a publically noticed meeting, the P&L Subcommittee will review legislation and determine, by vote of a quorum (defined as a majority) of the P&L Subcommittee members, which Legislative Service Requests (LSRs) and/or bills they recommend the LMAC track, comment on (with specific positions, conditions, and proposed revisions), or remove from the LMAC legislative tracking list. This list of recommended legislation will be presented to the LMAC for its review and approval.

Common LMAC Positions on LSRs and bills:

- Support – LMAC supports the legislation as proposed;
- Support with amendments or comments – LMAC supports the legislation, but with changes and/or amendments
- Oppose – LMAC opposes the legislation as proposed;

- Oppose but could support with amendments or modifications – LMAC opposes the legislation as proposed, but could support with described deletions, modifications and/or amendments;
- Track – Issue relevant to lake protection but not significant enough to take a position on;
- Research – More information is needed before the LMAC can make a decision;
- Remove – Issue is not relevant to lake protection and need not be tracked.

The P&L Subcommittee will create a list of standing positions on legislation that is proposed on a regular basis, allowing the LMAC to respond quickly with a letter of testimony to certain predefined situations. This list of standing positions will be approved by a vote of the full LMAC, and will be reviewed and reapproved annually. The LMAC Chair, LMAC Vice Chair, and the Chair of the P&L Subcommittee will jointly determine whether bill language fulfills the intent outlined in the list of standing positions.

For bills that the LMAC has voted to take a position on, Lakes Program staff will draft an appropriate letter of testimony for review by the LMAC Chair, LMAC Vice Chair, and the Chair of the P&L Subcommittee. Once the letter has been approved by the Chair, Vice Chair, and Chair of the P&L Subcommittee, it will be signed by the LMAC Chair and submitted to the General Court. A P&L Subcommittee member or other LMAC representative may elect to submit the letter in person and/or provide oral testimony.

In the event that a legislative position recommendation of the P&L Subcommittee cannot be approved at a scheduled LMAC meeting due to legislative letter of testimony deadline(s), upon consultation with the Lakes Coordinator, the LMAC Chair, Vice Chair, and Chair of the P&L Subcommittee may recommend proceeding with the letter of testimony. This may occur when bill text is unavailable at the time of the LMAC meeting or when bill amendments substantially alter the intent or subject of the legislation. This option will be limited to bills on which the P&L Subcommittee's members' recommendations are unanimous. In this circumstance, the process of drafting, approving, and submitting the letter of testimony will be the same as for a bill which has been voted on by the full LMAC, but Lakes Program staff will notify the full committee that this action is being taken by the subcommittee. In consultation with the LMAC Chair, Vice Chair, and Chair of the P&L Subcommittee, Lakes Program staff will write and distribute electronically a draft letter of testimony for review and comment by the full LMAC. The comment period will be one week or until one day prior to the bill's public hearing if the hearing is scheduled less than a week after the P&L Subcommittee has made its position recommendation. Should an LMAC member have pertinent information about the legislation that opposes or significantly differs from the P&L Subcommittee's recommendation, a full review and vote by the LMAC shall be conducted prior to submission of any letter of testimony. Absent significant objections or revisions to the P&L Subcommittee's recommendation by the end of the internal LMAC comment period, the letter of testimony, with any minor corrections and/or non-substantive modifications, signed by the LMAC Chair, will be submitted on behalf of the LMAC.

Adopted by the Lakes Management Advisory Committee on July 17, 2014.

Revision proposed for the January 19, 2018 LMAC meeting.