

HB 398-FN – AS INTRODUCED

2013 SESSION

13-0318  
01/03

HOUSE BILL            **398-FN**

AN ACT                relative to leave time for certain state employees.

SPONSORS:            Rep. C. McGuire, Merr 29; Rep. L. Ober, Hills 37; Rep. Ulery, Hills 37; Rep. Sad, Ches 1; Rep. D. McGuire, Merr 21; Rep. Jasper, Hills 37; Rep. Jones, Straf 24

COMMITTEE:          Executive Departments and Administration

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ANALYSIS

This bill repeals the law allowing classified employees of the department of health and human services who are appointed to an unclassified position to retain all annual leave, sick leave, longevity pay, and bonus time already accumulated in the classified system.

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Explanation:        Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Thirteen*

AN ACT                   relative to leave time for certain state employees.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

- 1           1 Repeal. 1995, 310:64, I, relative to accumulated leave time of certain health and human
- 2 services' employees, is repealed.
- 3           2 Effective Date. This act shall take effect 60 days after its passage.

LBAO  
13-0318  
12/28/12

### **HB 398-FN - FISCAL NOTE**

AN ACT                    relative to leave time for certain state employees.

#### **FISCAL IMPACT:**

The Department of Health and Human Services state this bill, as introduced, will have an indeterminable impact on state revenues and expenditures, and county expenditures. There will be no fiscal impact on county revenues, or local revenue and expenditures.

#### **METHODOLOGY:**

The Department of Health and Human Services states this bill repeals 1995, 310:64, which allows classified employees within the Department who are appointed to an unclassified position to retain all annual leave, sick leave, longevity pay, and bonus time already accumulated within the classified system. Under the existing law, when a Department employee is transferred to an unclassified position, leave accruals earned but not taken at the time of transfer are suspended and the employee accumulates future benefits as specified for unclassified employees. When the employee terminates employment, all leave balances are paid out in accordance with the salary and policies in effect at that time. The Department states the effect of this bill is to require that accumulated leave be paid out at the time the employee transfers to the unclassified position, at the salary and policies in effect at the time of transfer. The Department states the fiscal impact of this change is indeterminable for the following reasons: (1) the Department is unable to estimate what portion of unclassified positions will be filled by current classified employees versus individuals recruited from outside the Department; and (2) the Department is unable to estimate the salary and date of each employee's termination, and so is unable to calculate the difference between payouts under current statute and under that proposed by the bill. In addition to state expenditures, the Department states the bill will have an indeterminable impact on state revenues, in that federal Medicaid matching funds may be affected by any change in Medicaid program costs resulting from the bill. Similarly, to the extent that the bill affects program costs shared by counties, county expenditures may also be affected.