

**STATE OF NEW HAMPSHIRE
GENERAL COURT TECHNOLOGY SERVICES
COMPUTER USE POLICY**

SECTION ONE

PURPOSE

A. To better serve the Legislative Branch and provide our staff and legislators with the best tools to do their jobs, the General Court Technology Services department makes available electronic media, technology, and services, including, but not limited to computers, printers, e-mail, intranet, Internet and the World Wide Web.

B. The General Court Technology Services department encourages the use of these media and associated services because they can make communication more efficient and effective and because they are valuable sources of information needed to conduct legislative business. However, all staff and legislators should remember that electronic media and services provided by the General Court are General Court property and their purpose is to facilitate and support General Court legislative business. All staff and legislators have the responsibility to use these resources in a professional, ethical, and lawful manner.

C. To ensure that staff and legislators are responsible, the following guidelines have been established for using the General Court Technology Services network and services. No policy can lay down rules to cover every possible situation. Instead, it is designed to express the General Court Technology Services department philosophy and set forth general principles when using electronic media and services.

The Policies contained herein only apply to e-mails that are transmitted through the Legislature's email accounts. Personal email accounts, even when accessed through the State House wireless system and/or on state owned computers, may not be accessed, monitored, or searched under any circumstances other than pursuant to a direct Court order to do so.

SECTION TWO

PROHIBITED COMMUNICATIONS

Electronic media cannot be used for knowingly transmitting, retrieving, or storing any communication that is:

1. Discriminatory, as defined in RSA 354-A:2 (XV), or constitutes sexual harassment, as defined in RSA 14-B;
2. Obscene, sexually explicit or pornographic;

3. Defamatory or constitutes criminal threatening, as defined in RSA 631:4;
4. In violation of any license governing the use of software; or
5. Engaged in for any purpose that is illegal or contrary to this General Court policy.

SECTION THREE

PERSONAL USE

The computers, electronic media and services provided by the General Court Technology Services department are primarily for legislative business use to assist staff and legislators in the performance of their jobs. Limited, occasional, or incidental use of electronic media (sending or receiving) for personal, non-business purposes is understandable and acceptable, and all such use should be done in a manner that does not negatively affect the systems' use for legislative business purposes.

SECTION FOUR

ACCESS TO STAFF and LEGISLATOR COMMUNICATIONS

A. Generally, electronic information created and/or communicated by staff or legislators using e-mail, word processing, utility programs, spreadsheets, Internet and similar electronic media is not reviewed by the General Court Technology Services department. However, the following conditions should be noted:

The General Court Technology Services department routinely gathers logs for most electronic activities performed on the network, for the following purposes:

1. Cost analysis;
2. Resource allocation (bandwidth, disk space);
3. Troubleshooting network, internet, e-mail and any other system problems;
4. Virus, worm, spyware and "Denial of Service" attacks; and
5. Optimum technical management of information resources.

B. The General Court Technology Services department reserves the right, to review any electronic files and messages to the extent necessary to ensure electronic media and services are being used in compliance with the law and other General Court policies. **Any review of the content of electronic files and messages however can only be done under the conditions and procedures listed below. Furthermore, such review may be**

undertaken only when there exists a reasonable and credible basis to believe that there has been an occurrence of either the prohibited communications contained in Section II of this policy or the prohibited behavior contained in Section VII.

C.(1)(a)(i) The content of e-mail and other electronic data generated by a Senator or Representative may be reviewed or monitored only upon order of the Chief of Staff of the respective body, and only after written notification of the presiding elected official of that body. In addition, prior notice of the intent to review such content, and the reasons therefore, shall be given in writing to the majority leader if the Senator or Representative in question is a member of the majority party, or to the minority leader if the Senator or Representative in question is a member of the minority party. The same policy shall apply to non-partisan staff working directly under the supervision of either a Senator or Representative. In no case involving either elected members or staff working directly under them shall any notice of intent to review or informative obtained through such review be shared with members of the other body.

C.(1)(a)(ii) If the elected member in question is either the Senate President or Speaker of the House, then the appropriate Chief of Staff shall provide prior notice of the intent to review such content to the majority leader and minority leader.

C.(1)(b)(i) The content of e-mail and other electronic data generated by non-partisan staff of the Senate or House, not working directly under the supervision of a Senator or Representative, may be reviewed or monitored only after written notification to and approval of the Chief of Staff of the respective body. The content of e-mail and other electronic data generated by joint staff may be reviewed or monitored only after written notification and approval of both the Chief of Staff of the House and the Chief of Staff of the Senate.

C.(1)(b)(ii) The content of e-mail and other electronic data generated by partisan Senate or House staff may be reviewed or monitored only after written notification to the presiding elected official of the relevant body by the Chief of Staff of the body involved. In addition, prior notice of the intent to review such content, and the reasons therefore, shall be given in writing to the majority leader if the staff member in question is a member of majority party partisan staff, or to the minority leader if the staff member in question is a member of the minority party staff. In no case shall any notice of intent to review or informative obtained through such review be shared with members of the other body.

C.(1)(b)(iii) The content of e-mail and other electronic data generated by the Chief of Staff of either the House or the Senate may be reviewed only upon the order of the presiding elected officer of the body for which the Chief of Staff works. Prior notice of the intent to review such content shall be provided to the majority and minority leader.

C.(1)(b)(iv) For the purposes of this policy, 'presiding elected official' means the Senate President in the case of the Senate and Speaker of the House in the case of the House. `Body' refers to either the House or the Senate.

D. Information and data obtained through the above processes shall in each instance be delivered to the person named to give authorization above, who then shall decide whether such information should be shared with either law enforcement officials or the legislative ethics committee. In making such decisions however, the persons so authorized shall inform, and may consult with, the Presiding Elected Officer of the respective body, unless such inquiry directly involves the Presiding Officer.

E. Under no circumstances shall information obtained through these procedures be shared with any other individuals, including members and staff of the house of the legislature that is not involved.

SECTION FIVE

E-MAIL RETENTION POLICY

It is the user's responsibility to manage their e-mail, to include calendars, contacts, sent items, deleted items, tasks, and e-mail folders. For the purposes of being able to restore the e-mail system in the event of a catastrophic event, the e-mail database is fully backed up on a routine basis. This full backup cannot be used as a means to restore individual user's e-mail, calendars, contacts, sent items, deleted items, tasks, or e-mail folders. It can only be used to restore ALL mailboxes should the General Court network or e-mail server need to be replaced.

SECTION SIX

SOFTWARE

To prevent computer viruses from being transmitted through the General Court's computer system, downloading of any unauthorized software is strictly prohibited. Only software registered through the General Court Technology Services department may be downloaded. Staff and legislators should contact the General Court Information Systems office if they have any questions.

SECTION SEVEN

SECURITY/APPROPRIATE USE

A. Staff and legislators must respect the confidentiality of other individuals' electronic communications. Except in cases in which explicit authorization has been

granted by pursuant to the procedures listed above, staff and legislators are prohibited from engaging in, or attempting to engage in:

1. Monitoring or intercepting the files or electronic communications of other staff, legislators, or third parties;
2. Hacking or obtaining access to systems or accounts they are not authorized to use;
3. Using other people's log-ins or passwords; and
4. Breaching, testing, or monitoring computer or network security measures.

B. No e-mail or other electronic communications can be sent that attempt to hide the identity of the sender or represent the sender as someone else.

C. Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.

D. Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights and cannot copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner.

SECTION EIGHT

ENCRYPTION

Staff and legislators can use encryption software supplied to them by the General Court Technology Services department for purposes of safeguarding sensitive or confidential business information. Staff and legislators who use encryption on files stored on a General Court computer must provide their supervisor with a sealed hard copy record (to be retained in a secure location) of all of the passwords and/or encryption keys necessary to access the files.

SECTION NINE

PARTICIPATION IN ON-LINE FORUMS

A. Staff and legislators should remember that any messages or information sent on General Court-provided facilities to one or more individuals via an electronic network—for example, Internet mailing lists, bulletin boards, and on-line services—are statements identifiable and attributable to The New Hampshire General Court.

B. The General Court Technology Services department recognizes that participation in some forums might be important to staff and legislators in the performance of their

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legislative work. For instance, an employee or legislator might find the answer to a technical problem by consulting members of a news group devoted to the technical area.

SECTION TEN

VIOLATIONS

Any staff or legislator who abuses the privilege of their access to the General Court Technology Services equipment or network in violation of this policy may be subject to corrective action.

SECTION ELEVEN

STAFF AND LEGISLATOR AGREEMENT ON USE OF E-MAIL AND THE INTERNET

I have read, understand, and agree to comply with the foregoing policies, rules, and conditions governing the use of the General Court's computer equipment and services. I further understand that my use of the e-mail and Internet may reflect on the image of the General Court to the general public and citizens of the state of New Hampshire and that I have responsibility to maintain a positive representation of the General Court.

Furthermore, I understand that I am subject to any change, deletion, or addition to this policy made by the Joint Committee on Legislative Facilities

Date: _____

Signature of Staff/Legislator: _____

Printed Name of Staff/Legislator: _____

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Date: _____

Signature of Staff/Legislator: _____

Printed Name of Staff/Legislator: _____

Department: _____

Position: _____

Bldg. & Room #: _____ Phone: 271-_____

Office/Group:

House House Joint Security Senate Senate Joint
 OLS LBA LBA Audit **Representative** **Senator**

Additional Legislator Information:

Party: D R County: _____ District: _____

Committee(s) if known:

(Page 6 is the *staff or legislator's* copy of Section 11 and the policy signature page. Page 7 is the *General Court IT Department's* copy of Section 11 and the policy signature page.)