



TO: Key Officials

FROM: Judy A. Silva, Executive Director
Cordell A. Johnston, Government Affairs Counsel

DATE: August 18, 2016

RE: 2017-2018 Legislative Policy Conference ~ Friday, September 23, 2016

Floor Proposals and Legislative Principles

Enclosed please find a copy of the seven floor policy proposals that have been submitted for discussion and vote at the NHMA Legislative Policy Conference. These floor policies supplement the policy recommendations prepared by the three legislative policy committees, which were mailed to each municipality on June 20, 2016. In addition to the policy recommendations and the floor proposals, delegates at the conference will vote on NHMA's Legislative Principles, which also were included in the June 20 mailing. If you need copies of any of these documents, you can find them on the NHMA website, www.nhmunicipal.org. (Near the top of the home page, click on the "Advocacy" tab, then use the menu on the left to find "Legislative Principles," "2017-2018 Legislative Policy Recommendations," and "2017-2018 Floor Policies.")

Voting Delegate

Each member municipality has one vote at the Policy Conference. Each governing body is asked to appoint a voting delegate to cast the municipality's vote on the policy proposals presented. **We are sending a voting delegate card to the chief administrative officer in each municipality (or the governing body chair if no administrative staff) to return to us indicating the governing body's appointment for voting delegate.** Please mail this card back to us no later than Friday, September 16. See the Legislative Policy Process Questions & Answers document, also sent with the June 20 mailing and available on the NHMA website, for a description of who will have voting privileges for a municipality in the absence of any formal designation.

Policy Conference

The Legislative Policy Conference is scheduled for **Friday, September 23, 2016, at 9:00 a.m. at NHMA's offices at 25 Triangle Park Drive** in Concord.

We urge the governing body of each municipality to discuss the full slate of policy recommendations, along with these floor proposals, and take a position on each proposal to give guidance to your voting delegate. ***Do not send your positions on the policy recommendations to NHMA; they are only for the guidance of your voting delegate, and each municipality can register its positions only by voting at the conference.*** At the conference, delegates may vote to approve, reject, amend, or table a policy proposal. They may also vote to change the order of priority of the various policies.

This is an important opportunity for each member municipality to participate in determining NHMA legislative policy for the 2017-2018 biennium—we count on your input! As always, please do not hesitate to call or e-mail (governmentaffairs@nhmunicipal.org) the Government Affairs Staff with any questions, comments, or concerns. We look forward to seeing you on September 23!

New Hampshire Municipal Association
2017 - 2018 Legislative Policy Process

Floor Policy Proposal

Submitted by (name): Roger Coutu

Date: August 10, 2016

City or Town: Hudson

Title of Person Submitting Policy: Selectman

Floor Policy Proposal approved by vote of the governing body on (date)

August 9, 2016

To see if NHMA will SUPPORT/OPPOSE:

To see if NHMA will support legislation to allow municipal library budgets to appear as a separate warrant article on the Town Meeting SB2 ballot.

Municipal Interest to be accomplished by proposal:

To give the voters greater visibility to the appropriations necessary to operate the municipal library when they vote at the Annual Town Meeting.

Explanation:

Currently, in SB2 communities, the operating budget for the Town appears as a separate warrant article. The article raises and appropriates a sum of money for the operation of the Town and also defines a default budget should the proposed budget not pass. In 2014, separate warrant articles were allowed on the ballot to raise and appropriate funds to run a municipal water utility and a municipal sewer utility. Each of these articles also identified a default budget should the article(s) not pass. The Hudson Board of Selectmen believe that it would be appropriate to allow SB2 communities to put municipal library budgets, separate from the Town's general fund budget, so that the voters would have greater visibility into the cost to operate the library as well as the ability to vote for a library default budget. Another strong argument in favor of allowing the library budget to be a separate warrant article is that the Library Trustees are a separately elected body, not subject to the direction of the Board of Selectmen.

**New Hampshire Municipal Association
2017 - 2018 Legislative Policy Process**

Floor Policy Proposal

Submitted by (name): Roger Coutu

Date: August 10, 2016

City or Town: Hudson

Title of Person Submitting Policy: Selectman

Floor Policy Proposal approved by vote of the governing body on (date)

August 9, 2016

To see if NHMA will SUPPORT/OPPOSE:

To see if NHMA will support legislation to allow municipalities to borrow funds from either their Special Revenue Funds and/or Capital Reserve Funds for the purpose of financing municipal building construction approved via warrant articles approved by the voters.

Municipal Interest to be accomplished by proposal:

This would allow municipalities access to their own funds which could generate a greater yield than other investments.

Explanation:

This would give municipalities an option to self finance capital building projects and possibly generate higher returns on their funds.

New Hampshire Municipal Association
2017-2018 Legislative Policy Process

Floor Policy Proposal

Submitted by: (name) City of Portsmouth

Date: August 2, 2016

City or Town: Portsmouth Title of Person Submitting Policy: CHRISTINE DWYER, MEMBER OF THE PORTSMOUTH CITY COUNCIL AND LEGISLATIVE SUBCOMMITTEE. THE SUBCOMMITTEE SUBMITS THIS FLOOR POLICY ON THE PORTSMOUTH CITY COUNCIL'S BEHALF.

Floor Policy Proposal approved by vote of the governing body on (date): THE PORTSMOUTH CITY COUNCIL APPROVED THIS POLICY BY MAJORITY VOTE ON AUGUST 1, 2016 FOR SUBMISSION AS A FLOOR POLICY AT THE NHMA LEGISLATIVE POLICY CONFERENCE.

To see if NHMA will SUPPORT:

Legislation that amends RSA 674 regarding Accessory Dwelling Units (ADUs) to prohibit either the principal dwelling unit or the ADU from being used for short term rentals which are defined as the rental of either the principal dwelling unit or the ADU for a period of less than thirty days.

Municipal interest to be accomplished by proposal:

The Legislature's express purpose in amending RSA 674 to require municipalities to permit ADUs was to provide affordable housing for NH citizens, specifically acknowledging the needs of the elderly and disabled to provide living space for in-home caregivers. Allowing ADUs to be used as short term rentals will have the effect of reducing or eliminating affordable housing opportunities for this vulnerable population and their caregivers. Without this limitation every single family residence in every zoning district could become a short term rental business, reducing affordable housing stock for the elderly, disabled and their caregivers, and creating unintended consequences for neighbors.

Explanation:

Many communities throughout the country that are tourist destinations have been faced with the substantial reduction of available affordable housing units due to the recent exponential growth of the short term rental business. The legislative purpose of RSA 674 regarding ADUs will be undermined and likely completely thwarted if either the principal dwelling or ADU can be used as a short term rental. Use of either the principal dwelling or ADU as a short term rental would be against the spirit and intent of the express stated purpose of the legislation.

Each proposed floor policy should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem.

Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; or email to governmentaffairs@nhmunicipal.org.

Must be received by August 12, 2016.

**New Hampshire Municipal Association
2017-2018 Legislative Policy Process**

4.

Floor Policy Proposal

Submitted by: (name) City of Portsmouth Date: August 2, 2016

City or Town: Portsmouth Title of Person Submitting Policy: CHRISTINE DWYER, MEMBER OF THE PORTSMOUTH CITY COUNCIL AND LEGISLATIVE SUBCOMMITTEE. THE SUBCOMMITTEE SUBMITS THIS FLOOR POLICY ON THE PORTSMOUTH CITY COUNCIL'S BEHALF.

Floor Policy Proposal approved by vote of the governing body on (date): THE PORTSMOUTH CITY COUNCIL APPROVED THIS POLICY BY MAJORITY VOTE ON AUGUST 1, 2016 FOR SUBMISSION AS A FLOOR POLICY AT THE NHMA LEGISLATIVE POLICY CONFERENCE.

To see if NHMA will SUPPORT:

Legislation that allows municipalities to adopt an additional surcharge under the meals and rooms tax on hotel occupancy within its municipality whereby the deposited funds would be collected by the Department of Revenue Administration and paid to the municipality into a capital reserve fund, revolving fund, or other special revenue fund to help defer additional costs municipalities face due to tourism.

Municipal interest to be accomplished by proposal:

The State of New Hampshire wants to promote tourism throughout the State because the tourism industry generates jobs and Meals and Rooms Tax revenue. Enabling legislation that gives local communities the ability to create locally a hotel surcharge to generate funds to help pay for municipal services, infrastructure improvements and capital needs without relying on the property tax would help cities and towns recoup some of the costs they have had to assume over the last decade due to loss of revenue from the State. This overreliance on the property tax has put an increased burden on all property taxpayers, but particularly those with limited sources of income who struggle to pay their property taxes each year.

Explanation:

Not every community has the same assets or needs. Enabling legislation permitting cities and towns to create a hotel surcharge could help defer the cost of municipal services, infrastructure improvements and capital needs, lessen the burden on the property tax and the financial burden on cities and towns created by the loss of revenue from the State over the last decade from the elimination of shared revenues, state aid grants, retirement contributions and failure to return the proper percentage of Meals and Rooms Tax revenue to cities and towns. The State Legislature has established a precedent for municipalities to charge fees to create a local source of revenue from fees associated with motor vehicle registration.

Each proposed floor policy should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; or email to governmentaffairs@nhmunicipal.org.

Must be received by August 12, 2016.

**New Hampshire Municipal Association
2017-2018 Legislative Policy Process**

5.

Floor Policy Proposal

Submitted by: (name) City of Portsmouth

Date: August 2, 2016

City or Town: Portsmouth Title of Person Submitting Policy: CHRISTINE DWYER, MEMBER OF THE PORTSMOUTH CITY COUNCIL AND LEGISLATIVE SUBCOMMITTEE. THE SUBCOMMITTEE SUBMITS THIS FLOOR POLICY ON THE PORTSMOUTH CITY COUNCIL'S BEHALF.

Floor Policy Proposal approved by vote of the governing body on (date): THE PORTSMOUTH CITY COUNCIL APPROVED THIS POLICY BY MAJORITY VOTE ON AUGUST 1, 2016 FOR SUBMISSION AS A FLOOR POLICY TO NHMA AT ITS LEGISLATIVE POLICY CONFERENCE.

To see if NHMA will SUPPORT:

Legislation that defines short term rentals as a home business and permits municipalities to regulate and inspect these businesses for life safety issues.

Municipal interest to be accomplished by proposal:

The State of New Hampshire wants to help encourage the growth of new businesses and to support innovative business models. Legislation that permits local communities to define short term rentals as home businesses and allows them to regulate and inspect these businesses for life safety issues will support the emergence of new businesses while recognizing that there is a public interest in ensuring safety, which would benefit and protect business owners, users and all New Hampshire citizens and communities.

Explanation:

Municipalities want to help improve their local economy and need a way to ensure that new business models are encouraged if conducted in a manner that ensures the safety of all users. Local regulation actually recognizes that new models are emerging. Legislation that defines short term rental businesses as home businesses and permit municipalities to regulate and inspect for life safety issues will recognize the right and obligation of municipalities to protect the health, safety and welfare of their citizens while protecting owners and users and all New Hampshire citizens and communities.

Each proposed floor policy should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem.

Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; or email to governmentaffairs@nhmunicipal.org.

Must be received by August 12, 2016.



6.

**New Hampshire Municipal Association
2017-2018 Legislative Policy Process**

Floor Policy Proposal

Submitted by (name) CITY OF PORTSMOUTH Date: AUGUST 2, 2016

City or Town PORTSMOUTH Title of Person Submitting Policy CHRISTINE DWYER, MEMBER OF THE PORTSMOUTH CITY COUNCIL AND LEGISLATIVE SUBCOMMITTEE. THE SUBCOMMITTEE SUBMITS THIS FLOOR POLICY ON THE PORTSMOUTH CITY COUNCIL'S BEHALF.

Floor Policy Proposal approved by vote of the governing body on (date) THE PORTSMOUTH CITY COUNCIL APPROVED THIS POLICY BY MAJORITY VOTE ON AUGUST 1, 2016 FOR SUBMISSION AS A FLOOR POLICY

To see if NHMA will SUPPORT: A POLICY THAT REQUIRES THE NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION TO ADOPT, DEVELOP AND IMPLEMENT A TYPE II PROGRAM FOR NOISE ABATEMENT ON EXISTING HIGHWAYS.

Municipal interest to be accomplished by proposal:

HIGHWAY TRAFFIC NOISE HAS A NEGATIVE IMPACT ON THE HEALTH, SAFETY AND WELFARE OF NH CITIZENS WHO RESIDE ALONGSIDE EXISTING HIGHWAYS. THE NH DOT'S FAILURE TO ADOPT A TYPE II PROGRAM TO ABATE NOISE ALONG EXISTING HIGHWAYS HAS DEPRIVED MUNICIPALITIES OF FUNDS NEEDED TO CONSTRUCT NOISE BARRIERS TO PROTECT THEIR RESIDENTS.

Explanation:

FUNDING IS NOT AVAILABLE TO CONSTRUCT NOISE BARRIERS ALONG EXISTING HIGHWAYS UNLESS THE STATE ADOPTS A TYPE II PROGRAM. CERTAIN HIGHWAYS WERE CONSTRUCTED OR EXPANDED WITHOUT NOISE BARRIERS. THE VEHICULAR TRAFFIC ON THESE HIGHWAYS HAS INCREASED SUBSTANTIALLY OVER TIME, AS HAS THE NEGATIVE IMPACT OF NOISE ON NEIGHBORHOODS THAT ABUT THESE HIGHWAYS. NH DOT'S FAILURE TO ADOPT A TYPE II POLICY PREVENTS MUNICIPALITIES FROM BEING ABLE TO RECEIVE FUNDING TO CONSTRUCT NOISE BARRIERS WHICH ARE NECESSARY TO PROTECT THE HEALTH, SAFETY AND WELFARE OF NH RESIDENTS.

New Hampshire Municipal Association
2017-2018 Legislative Policy Process

7.

Floor Policy Proposal

Submitted by:

Bruce Johnson, Select Board Chairman, Webster
Clyde Carson, Select Board Chairman, Warner

Date: June 30, 2016

Under Finance and Revenue Policy recommendation #19 - State Revenue Structure and State Education Funding:

To see if the New Hampshire Municipal Association will support legislation to reduce local property taxes by 1) fully funding the NH Education Trust fund as defined in RSA 198:38 and 2) significantly reducing the amount of \$363 million to be raised by the state property tax as defined in RSA 76:3 with any reduction to be replaced from other state revenues.

Municipal interest to be accomplished by proposal:

1. Relieving property tax burdens on all property owners. There are times when people stand up at Town meeting and say they are overburdened on property taxes, and therefore, they cannot support town funding for needed responsibilities and projects. Well, the majority of those property taxes are not local taxes but school taxes. If reform can address the school portion of the tax bills with meaningful help from the State, then small towns can take care of what they need to care of.
2. Improved quality education for all children and teens across the state. This means improved educational opportunities for children and teens in poor towns that equals that from more wealthy towns.

Explanation:

Every year at annual school district meetings or city council meetings across the State, discussions and votes pit struggling taxpayers against children in need of an education. The reason for this is a funding formula that does not include meaningful contributions by the State of New Hampshire. It is time to correct this, and for the State to step up and increase its contributions so that local property taxpayers are not overly burdened, and so that all children receive a decent education.

Approved by a vote of:

Andover Board of Selectmen – July 25, 2016
Hopkinton Board of Selectmen – August 8, 2016
Salisbury Board of Selectmen – August 3, 2016
Warner Board of Selectmen – July 26, 2016
Webster Board of Selectmen – July 5, 2016