

Minutes
City Council Legislative Subcommittee
Wednesday, March 3, 2021 at 4:30 p.m.
Remote Meeting via Zoom

- I. Greeting: Mayor Becksted convened the zoom meeting at 4:35 p.m. and declared COVID-19 outbreak an emergency and waived the requirement that a quorum be physically present at the meeting pursuant to Governor's Executive Order 2020-04 and Emergency Order #12, Section 3. Members participated remotely and identified their location and any person present with them at that location. Motions will be by roll call. Mayor Becksted, Councilor McEachern and Councilor Kennedy were at their homes. City Manager Karen Conard and Assistant City Attorney Jane Ferrini were alone in their offices at City Hall. Representatives Somssich, Hamblett, McBeath, Meuse, Ward and Cali-Pitts were home and Senator Perkins Kwoka called in from her car.
- II. Approval of February 1, 2021 Minutes. Councilor McEachern moved and Councilor Kennedy seconded a Motion to approve the February 1, 2021 Minutes. **The Motion passed 3-0 in a unanimous roll call vote with Mayor Becksted, Councilor McEachern and Councilor Kennedy voting in favor of the Motion.**
- III. Discussion of Legislative Principles. Mayor Becksted, Councilor McEachern and Councilor Kennedy discussed bringing the Legislative Principles to the City Council. Councilor Kennedy noted that Committee could do its work and testify without the Legislative Principles but supported them going before the Council. The Mayor discussed the Mayors' Roundtable discussions and mentioned that the Mayors were submitted joint letters on certain legislative issues. Representative Somssich congratulated the Mayor for his participation. The Representatives discussed the use of the term "donor towns" in Legislative Principle #20. The Representatives cautioned against making education funding a partisan issue and to frame the issue by acknowledging the need for reform and to emphasize fairness, equity and burden on the property tax, not just messaging in terms of "donor town" terminology and asked that the City Council consider using different terms.

Assistant Attorney Ferrini noted that the City was a member of the Coalition Communities 2.0 who have formed to oppose legislation that promotes a donor education funding model. Councilor Kennedy noted that although towns can have different political views, there are things we can find that we mutually agreed upon. She noted that the Department of Education needs to address unused resources, for example through the CARES Act, noting that some districts don't have staff to secure those funds. Councilor Kenney noted that these issues need to be addressed along with education funding. Councilor McEachern supported a discussion of equitable and fair funding and said there were visceral reactions to the use of the term "donor town" when he testified at recent hearings. He thought the issue would get more support if there was support for seeking alternative funding and perhaps Portsmouth could lead the way in that conversation with other communities. The Mayor read Legislative Principle #20 and said that it "[s]upport[s] legislation that provides education funding based on an equitable and sustainable framework and oppose the return of the donor town concept." The Mayor stated he thought the principle as written supported the Representatives' concerns.

Councilor McEachern moved and the Mayor seconded a Motion to submit the Legislative Principles to the City Council. **The Motion passed 3-0 in a unanimous roll call vote with Mayor Becksted, Councilor McEachern and Councilor Kennedy voting in favor of the Motion.**

- IV. Update on SWEPT Education Funding bills: Assistant Attorney Ferrini reported on various SWEPT bill, stating that HB 504 and HB 608 have been retained in Committee and SB 158 was in work sessions. She updated the Committee on the Coalition Communities 2.0. which had their organizational meeting on March 3rd, had elected a Joint Board and noted that there are currently about 27 members.
- V. The Committee had a general discussion of legislative issues of interest to the City with Legislative Delegates and discussion of status of bills referenced in recent House and Senate Calendars, including but not limited to :
HB 439 regarding powers of City Council was discussed as it limit's local authority. Representative Cali-Pitts reported on the hearing on HB 552 regarding revaluation of property. It was noted that the Mayor had registered in support of the bill. HB 618 regarding the sale and distribution of polystyrene food service products is a bill sponsored by Senator Perkins Kwoka and a bill of interest to the City. Representative Cali-Pitts discussed HB 315 regarding the aggregation of electric customers and said they have worked very hard on a major amendment to the bill that she feels the amendment will address most of the concerns raised by those opposing the bill.

Representative Somssich noted the challenge of not seeing amendments to bills in advance of Committee hearings. HB 397 relative to permitting fees under shoreland protection act was noted as a bill of interest to the City. The Committee and delegates discussed HB 341 which would permitted multiple units in a single family lot. The group discussed how a broad expansion of permissible units on a single lot could support workforce housing but also conflicts with the legislative principle of opposing statewide zoning changes. The Mayor noted that the bill was opposed by the Mayors' Roundtable because of loss of local control. The group discussed the importance of workforce housing. Representative McBeath suggested rather than oppose the bill, work to amend it. Representative Somssich said that the state is not helping on the workforce housing issue and it needs to. The Mayor noted his discussions with our Congressman and Senators asking about the Federal Government stepping up on the issue. Representative Meuse suggested that the most powerful testimony a Committee can receive is from someone who does not support or oppose a bill but can education the Committee regarding unintended consequences. Representative Cali-Pitts said it is most impactful to get involved when the Committee report is close like 10-9. HB 284 regarding the restoration of voluntarily merged lots was noted as a bill to watch.

- VI. Discussion by Legislative Delegates and Committee of bills of interest or concern including but not limited to regarding workforce housing, municipal budgets, State contribution to retirement, state-wide zoning changes, energy bills and bills regarding public health and building codes, as time permits.

Assistant Attorney Ferrini thanked the Representatives for notifying the City of bills of interest that we might not be aware of. Councilor McEachern also thanks our Representatives and asked them to let the City know what their priorities are. The Mayor offered his help, thanked the Legislative Delegates for all they do. Councilor Kennedy offered her help for contacts and on education funding issues, particularly voucher bills. Representative Ward spoke of his work on the House Election Committee, particularly on voter registration bills this session. Senator Perkins Kwoka noted her frequent phone calls with Assistant Attorney Ferrini and that she is keeping close tabs on the City's positions on legislation and is reporting those positions back to her caucus and will help the City note bills of interest after crossover.

- VII. Adjournment at 5:49 p.m.

For updated status of bills and the Senate and House Calendars, see:
<http://www.gencourt.state.nh.us>. For information regarding the New Hampshire Municipal Association's Bulletin, see: <http://www.nhmunicipal.org/LegislativeBulletins>.