

**MINUTES**  
**City Council Legislative Subcommittee**  
**Fourth Floor Conference Room**  
**Wednesday, February 12, 2020 5:00 p.m.**

Legislative Subcommittee Members Present: Mayor Rick Becksted, Councilor Esther Kennedy, Councilor Paige Trace, City Manager Karen Conard, Assistant City Attorney Jane Ferrini, Councilor Deaglan McEachern joined via conference call at 5:11pm

**I. Greeting.**

Mayor Becksted called the meeting to order at 5:05pm.

**II. Review and approval of revised Minutes from January 13, 2020.**

The Committee reviewed and discussed the revised minutes. The Committee voted unanimously to approve the January 13, 2020 Minutes.

**III. Discussion of process of submission of testimony in support of City's Principles for Legislative Positions.**

The Committee discussed the City Council's Principles for Legislative Positions and the following process for submission of testimony in support of those principles that had been followed by prior Legislative Subcommittees:

1. City Council authorized the Legislative Subcommittee to take positions on legislation that they believe to be in the best interest of the City of Portsmouth using the legislative principles on behalf of the City Council.
2. City Council authorized the Mayor to act on behalf of the City Council to provide testimony regarding State legislation when time does not permit a full discussion and vote by the Legislative Subcommittee.
3. City staff members who are members of State Associations and Professional Boards may testify on behalf of their Associations or Boards if they specifically state that the testimony is not on behalf of the City. All such testimony will be reviewed by the City Manager before submission.

The Committee determined that it did not want to follow the procedures set forth in 1 and 2 above but would rather meet and discuss each bill prior to the submission of testimony in support or opposition. The Committee determined that it would meet when the bills crossed over in March to go over the reduced list of bills to discuss future testimony. For the next biennium, the Committee determined it would like to meet when the bills are first introduced in advance of legislative hearings to discuss the City's position on these bills.

The Committee discussed number 3 above as it applied to the NH Tax Collectors' Association and the NH City & Town Clerks' Association letter in support of SB 667 dated February 5, 2020. Councilor Kennedy raised the issue that the

Associations' testimony should clearly state that the testimony was not on behalf of the City, and to use examples of other towns, not just Portsmouth, to avoid any confusion about who is submitting the testimony. The Committee agreed and confirmed that if the Associations and Committee supports or opposes the same bills, the Associations could submit testimony on behalf of the both the City and the Associations.

#### **IV. Pending bills.**

After discussion, the Committee voted unanimously (Motion by Councilor Kennedy, Second by Councilor Trace) to oppose SB 458, a bill regarding short term rentals, on the grounds that the bill is a statewide zoning change that would not maintain local control.

After discussion, the Committee voted unanimously (Motion by Mayor Becksted, Second by Councilor Kennedy) to oppose SB 113, a bill that would require prior approval of local amendments to State Building Code from the State Building Code Review Board, on the grounds that it would not maintain local control.

The Committee discussed SB 1483 and SB 450, bills that would permit dogs on decks. The Committee discussed the City's current variance procedure to permit dogs on decks pursuant to the FDA Food Code and voted unanimously (Motion by Mayor Becksted, Second by Kennedy) to oppose both bills because they remove local control and the City already has a variance procedure to permit dogs on decks.

The Committee discussed HB 482, the tiny house bill, and did not vote to submit testimony on the bill.

#### **V. Staff update.**

Jane Ferrini reported that the Legislative Subcommittee webpage has been updated with excel spreadsheets with hyperlink to the general court website for up to date information on the bills the City is tracking. The Legislative Subcommittee webpage also has a link to the NHMA Legislative Policies. She further reported that the NHMA was going to host a meeting in April with City Mayors and representatives from towns council form of government to discuss and address how NHMA can meet their needs. She suggested at the next meeting the Committee could review the NHMA Legislative Policy Process for 2021-2022.

#### **VI. Adjournment.**

Mayor Becksted adjourned the meeting at 5:50 p.m.

