

**MINUTES**  
**City Council Legislative Subcommittee**  
**Friday, October 8, 2021 at 9:00 a.m.**  
**Conference Room A**  
**1 Junkins Ave.**  
**Portsmouth, NH**

- I. **Greeting:** Mayor Becksted. The meeting began at 9:25 a.m. Mayor Becksted, Councilor McEachern and Councilor Trace attended in person and Councilor Kennedy attended remotely. City Manager Karen Conard and Assistant City Attorney Jane Ferrini were present. Representatives Pantelakos, Muse and Somssich attended the meeting in person and Senator Perkins Kwoka attended the meeting remotely.
  
- II. **Approval of September 13, 2021 Minutes.** Councilor McEachern moved and Councilor Trace seconded a motion to approve the September 13, 2021 Minutes. Roll call vote: Mayor Becksted, Councilor McEachern, Councilor Trace and Councilor Kennedy voted in favor of the Motion. Motion passed unanimously.
  
- III. **Discussion with our Legislative Delegation regarding supporting legislation to fund sound barriers, enabling legislation for hotel occupancy fees and bills that support the creation of additional sources of revenue for fees and bills that support the creation of additional sources of revenue for municipalities. Further discussion by Legislative Delegation on sponsored or supported bills.**

The Mayor introduced the discussion by describing the efforts of the Mayors' Roundtable, which was a bi-partisan effort on the part of all NH Mayors to support legislation last session. The Mayor referenced the Roundtable's success in having the state rewrite the homeless plan, for supporting a bill that improved distribution of meals and room revenue to cities and towns and bi-partisan consensus on not supporting the return to a donor town education funding model.

The Committee and delegates discussed the introduction of three types of bills that would potentially help generate funds for the City: 1. Hotel occupancy fees. 2. An increase to motor vehicle registration fees. 3. Fees to municipalities from motor vehicle violations. The Mayor said that the Mayors' Roundtable would support a \$3 occupancy fee. Senator Perkins Kwoka noted that Senator Sue Prentiss from Grafton County would be introducing a hotel occupancy bill and Senator Perkins Kwoka would forward a copy to the City. Representative Pantelakos stated that this bill would have a difficult time this session because it might be characterized as a tax. The Mayor noted the problem with state downshifting more costs on to municipalities. Councilor McEachern supported the bill and stated

that with NHMA and the Mayors' Roundtable, we needed to make sure we made a case for this outside of Portsmouth. Councilor Pantelakos said that each Mayor should meet with their Representatives to get support. Councilor Kennedy asked the Representatives if they needed the City's support on legislation.

The Mayor also referenced the Mayors' Roundtable support of increasing vehicle registration fees from \$5 to \$10 and another bill that would distribute a portion of motor vehicle violation fees to municipalities. The Mayor explained that motor vehicle violation fees pay for police training and municipalities don't see any of the money from those violations. The Roundtable was going to propose a bill where 20% of violation fees would be returned to the municipalities as a way to help fund municipalities without impacting the taxpayers. Senator Perkins Kwoka states she was doing some research with the DMV on the motor vehicle violations and reached out to NHMA who thought that a bill like this might have some traction. Councilor McEachern state he was in support of this type of legislation but would like to see some data.

The Representatives discussed LSR's the City should watch. Representative Somssich noted that the House Science and Technology Committee is aware of many LSR's that are being introduced to walk back renewable energy incentives for municipalities and LSR's that would allow municipalities to opt out or do less regarding renewable energy and that would also remove incentives to municipalities.

Representative Muse discussed banning open carry at polling places. He noted that the City had poll works leave and stated open carry at polls poisons public discourse and chills participation in voting and free speech and would like support on this legislation. Representative Pantelakos stated it is not right if people are afraid to vote due to guns. Councilor Trace said carrying an AR 15 to intimidate is counterintuitive to freedom of speech and noted all you need is one misstep and you have what happened in Washington. Representative Muse noted that concealed carry would still be allowed and said that this would be a voter intimidation law and it had the support of the ACLU. Councilor Trace said that she would never want the freedom to own a gun taken away but believes there are certain instances when guns are carried to intimidate and leaves that to our Representatives to figure out legislation on that issue.

Assistant City Attorney Ferrini noted that CC2 communities had submitted a letter in opposition to HB 504 regarding the part of the bill that supported SWEPT being paid to the state. She noted that House Ways and Means voted 24-0 for Interim Study which likely means the bill is dead. She noted there are many education LSR's and that the portion of the bill regarding given tax credit on SWEPT to low income people would likely come back. She noted HB 108 regarding remote meetings was amended into a study committee. Senator Perkins Kwoka reported that she attend a recent meeting of the study committee and it will bring forward legislation next session on remote meetings. Assistant City Attorney

Ferrini noted that there are 813 LSR's and there are many on mask and vaccinations and it is difficult to know what these LSR's are until the bills get populated and when they do, the City will continue to communicate with our delegates on bills moving forward.

Senator Perkins Kwoka said she will support bills that allow remote meetings again this year, noting that the legislation she brought last year failed. Representative Somssich noted how positive remote meetings had been during COVID-19, noting that some 400 people could weigh in. Senator Perkins Kwoka stated she drove to Coos County for a redistricting meeting that took 18 minutes but the drive took 6 hours.

Representative Muse said there will be many bills introduced this session to roll back the authority of all health officers and for the City to be mindful of those bills. He also said there are many bills introduced regarding masks in schools. Representative Somssich noted that there are many anti-woman bills rolling back abortion rights. The Committee members and Representatives discussed the need to work together respectfully at the state and federal levels. Representative Muse noted the issue of body cameras and funds availability. The Mayor said that was an issue for the Police Commission first and the funding question would come through to the Council.

The Committee and Representatives discussed sound barriers and the current push by citizens to get them funding at the Ten Year Transportation Plan meetings. Assistant City Attorney Ferrini noted the dates and times for upcoming meetings. The Mayor reported back with his meeting with the Governor on the sound barrier issue and noted there were 38 people at the Epping meeting from Portsmouth in support of the sound barriers. Councilor Kennedy said the NHDOT map has changed and is showing 4 out of 9 barriers for 2026 but the roadwork is being done in 2023 and we want to have all barriers built at the same time as the road. She encouraged ongoing public participation by all neighborhoods and noted there is a Facebook page on this topic. Councilor Kennedy stated that they did not include New Franklin last time and recently took out Sherburne School on the new map. Senator Perkins Kwoka stated she was going to meet with NHDOT to discuss the best path forward on sound barriers. Representative Somssich noted the Ten Year Transportation Plan meeting in Dover also had a good showing of people from Portsmouth. Representative Somssich said he is introduced two bill this session on sound barriers. The first one simply requests that NHDOT build and fund the barriers. The second bill is one that would changing the vehicle registration fee so a percentage of the fees support Type II sound barriers. Representative Pantelakos hoped the sound barriers get built before she dies.

- IV. **Next meeting.** The Committee agreed to schedule the next meeting with the delegates in January, 2022.
- V. **Adjournment.** A unanimous motion to adjourn was passed at 10:19 a.m.

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