

LEGISLATIVE BULLETIN

An Interest in Housing

The House Special Committee on Housing continued its information gathering on Monday with presentations from more housing-focused entities and individuals, including the City of Manchester and Town of Newmarket. Over the course of the several meetings held by the Special Committee, some themes have developed:

- Affordable housing requires density, and density is determined in large part by the availability of public water and/or sewer. Funding development of public water and/or sewer is challenging but must be a priority if density is desired.
- The best performing municipalities in terms of regulatory flexibility for housing development have updated their zoning ordinances recently or are in the process of updating their zoning ordinances. Updating local zoning codes is challenging because it is a time-intensive process that requires not only determining what ideas about development are appropriate, but also requires adapting those ideas to the realities on the ground.
- Municipalities are exploring different policy options, including looking at relaxing accessory dwelling unit requirements, to help alleviate some housing demand by infilling development on lots that can support a larger or additional unit(s). There is no one solution for every municipality given the constraints on infrastructure, but municipalities are trying to find solutions that work for their communities.

One of the more intriguing suggestions that came before the committee was a modification of RSA 674:21, V to allow municipalities to use impact fees for public water and sewer for longer than the currently allowed 6 years. (The suggestion was for a minimum of 10 and up to 20 years.)

NHMA Legislative Bulletin 18
April 28, 2023

Inside this issue:

Budget Update	2
MCG Exec	2
Collective Bargaining	3
Hearing Schedule	3
NHMA Events	3

GOVERNMENT AFFAIRS CONTACT INFORMATION

Margaret M.L. Byrnes
Executive Director

Natch Greyes
Government Affairs Counsel

Katherine Heck
Government Finance Advisor

Jonathan Cowal
Municipal Services Counsel

Timothy W. Fortier
Communications Coordinator

Pam Valley
Administrative Assistant



25 Triangle Park Drive
Concord NH 03301
Tel: 603.224.7447
EM: governmentaffairs@nhmunicipal.org
Website: www.nhmunicipal.org

Looking toward the housing-related bills that are being considered for inclusion in **HB 2** by the Senate, it appears that incentivizing buildout of public water and/or sewer at the municipal level, particularly in already dense (or desired to be dense) areas of the municipality, can make housing development more attractive and cheaper. That idea is what spurred **SB 145**, the housing champions concept. But it's not just housing that becomes more attractive and cheaper; the running of new water and/or sewer lines can spur the creation of village nodes, which spur economic activity, concentrating the demand on public infrastructure and alleviating the costs associated with sprawl due to the need for longer lines, more roads, and greater maintenance.

Comprehensive overhauls of local zoning ordinances to ensure that they are tailored to each municipality and reflect advances in building science, well and septic design, and other advances in construction and firefighting, require funding. Programmatic grants to accomplish such overhauls were part of the original [InvestNH](#). (New Hampshire Housing has awarded Housing Opportunity Planning grants to 46 municipalities, so far, with grant sizes varying depending on town needs. Applicants may qualify for up to \$175,000, and the total allocation in InvestNH was \$5 million.)

It is not yet clear how much money will be put toward housing in this budget, or how that will be allocated among the various ideas aimed at spurring innovation and creating more housing. We are hopeful that incentive programs will assist municipalities update their local regulations and build water and sewer infrastructure.

The Senate Schedules Budget Hearing

On **Tuesday, May 2**, from **1:00 p.m. to 5:00 p.m.** and **6:00 p.m. to 8:00 p.m.**, in **Representatives Hall**, the **Senate Finance Committee** will hold a public hearing on **HB 1** (the budget) and **HB 2** (the trailer bill that makes the statutory changes necessary to implement the budget). Those hearings will be followed by several work sessions in the following weeks. Check the next several *Legislative Bulletins* for updates about the budget discussions as the Senate Finance Committee continues its deliberations on the biennial state operating budget.

This public hearing is an opportunity to let the Senate budget writers know what your municipal priorities are, so please consider attending the hearing or submitting written testimony. If you can't make it in person but want to watch the hearings, the hearings will be streamed live via the Internet at the following web address: <https://youtube.com/live/8hrh3neq6Sc>.

House Municipal & County Government Schedules Executive Session

On **Wednesday, May 10**, at **10:30 a.m.** in **LOB 301 – 303**, the **House Municipal & County Government Committee** will hold an executive session on the Senate bills that it heard last week. Those include:

- **SB 111**, clarifying that towns that have adopted RSA 49-D have the same powers and authority of municipalities that have adopted RSA 49-C. NHMA supports **SB 111**.
- **SB 222**, allowing a municipality or communications district to issue bonds for purposes pursuant to RSA 33:3 and RSA 33-B, including but not limited to open networks. NHMA supports **SB 222**.
- **SB 78**, changing the requirements relative to securities and subdivision regulations. NHMA has helped craft an amendment that satisfies its concerns with the bill.

- **SB 132**, prohibiting cities and towns from adopting sanctuary policies. NHMA opposes **SB 132** as an infringement on local authority.

Please consider reaching out to the [committee](#) if you would like to weigh in on any of these bills before the executive session.

Senate Commerce Considers Collective Bargaining Units

The **Senate Commerce Committee** will hold an executive session sometime in the next couple of weeks on **HB 150**, which would reduce the minimum number of employees required to certify a collective bargaining unit from 10 to 5. (The Senate, unlike the House, does not notice what day they will be holding executive sessions on any particular bill.)

While NHMA recognizes the need for good working conditions for municipal employees and the right of employees to organize if they choose, NHMA’s [member-adopted policies](#) clearly support existing laws governing public employee labor relations and oppose changes that impose greater burdens or liabilities on employers.

Changing the number of employees required to certify a collective bargaining unit would alter the landscape of existing public employee labor relations laws, increasing the financial burden on municipalities and taxpayers. Passage of this bill would likely result in the certification of more units, which means more time and related costs for management to negotiate and administer these contracts. It is on this basis that NHMA opposes **HB 150** and asks its members to contact members of the [Senate Commerce Committee](#) to urge them to recommend **HB 150** as Inexpedient to Legislate.

Hearing Schedule

Please [click here](#) to find a list of hearings next week on bills that NHMA is tracking. Please note that the linked PDF only covers hearings scheduled for the next week. For the most up-to-date information on when bills are scheduled for a hearing, please use our [live bill tracker](#).

2023 NHMA UPCOMING MEMBER EVENTS	
May 3	Webinar: Embracing Technology to Overcome Common Budgeting Challenges – 12:00 p.m.
May 8	Webinar: Municipal Treasurer Training 101 – 6:00 p.m.
May 10	Webinar: Secure Your Operational Technologies with Government Funding – 12:00 p.m.
May 17	2023 Hard Road to Travel Workshop (Hybrid) – 9:00 a.m.
Please visit www.nhmunicipal.org for the most up-to-date information regarding our upcoming events. Click on the Events& Training tab to view the calendar.	
For more information, please call NHMA’s Workshop registration line: (603) 230-3350.	