

MINUTES
City Council Legislative Subcommittee
Rescheduled to Monday, February 9, 2026, at 8:30 a.m.
Conference Room A, 1 Junkins Ave., Portsmouth, NH

1. Greetings. Mayor McEachern began the meeting at 8:32 a.m. In attendance were Mayor McEachern, Assistant Mayor Kelley, Councilor Cook and Councilor Flynn. Staff in attendance were Nathan Lunney, Deputy City Manager of Finance and Administration and Jane Ferrini, Senior Assistant City Attorney.
2. Approval of April 4, 2025 Minutes. Assistant Mayor Kelley moved and Councilor Cook seconded a motion to approve the April 4, 2025 minutes. The motion passed unanimously.
3. Review of City's Legislative Principles – The Committee discussed amending the existing Legislative Principles and adding several new principles that align with the recently adopted City Council goals.

Assistant Mayor Kelley moved and Councilor Flynn seconded a motion to amend (*shown in italics*) Legislative Principle #7 as set forth below. The motion passed unanimously:

7. Support *policies that encourage resiliency and sustainability, protect, enhance and preserve the natural and built environment* and increase energy efficiency and renewable energy production.

Assistant Mayor Kelley moved and Councilor Flynn seconded a motion to add Legislative Principle # 21 as set forth *in italics* below. The motion passed unanimously.

21. *Support legislation that expands the development, availability and affordability of childcare.*

Assistant Mayor Kelley moved and Councilor Cook seconded a motion to add Legislative Principle # 22 as set forth *in italics* below. The motion passed unanimously.

22. *Support legislation that supports public transportation.*

Councilor Cook moved and Assistant Mayor Kelley seconded a motion to add Legislative Principle # 23 as set forth *in italics* below. The motion passed unanimously.

23. *Support policies or legislation that support local businesses and nonprofits.*

Council Cook moved and Assistant Mayor Kelley seconded a motion to approve the Legislative Principles as amended. The motion passed unanimously.

Council Cook moved and Councilor Flynn seconded a motion to approve the Legislative Subcommittee's Procedures for Submission of Testimony. The motion passed unanimously.

Assistant Mayor Kelley stated that she would put the Legislative Principles as amended and the Procedures for Submission of Testimony on the February 17, 2026 Agenda under her name for Council approval.

4. Discussion of bills for the City to register in support or opposition:
 - A. The Mayor discussed his testimony in support of SB 634 - Hotel Occupancy bill. The Mayor gave some history of the City's support of similar bills over the years. Councilor Flynn asked if other Mayors supported the bill, and the Mayor said that there had been broader support in prior years for other versions of the bill that targeted funds to first responders or tourism, but the current version did not include those provision so there was less support this year. The Mayor noted that the bill is not supported by the Mayors' Roundtable due to the Mayors' split opinions on the bill. (Senate voted ITL)
 - B. ECC2: HB 1800 and HB 1787 – The Committee noted the ECC2's written testimony in opposition for payment of excess SWEPT to the State in both bills.
 - C. School Board Chair Lisa Rapaport was invited by the Committee to discuss a draft of an open letter to the Governor on the risks of statewide open enrollment (HB 751). The Committee discussed how the path for approving the bill without hearings was highly unusual and Councilor Cook stated that it was a nongermaine amendment made on the Floor. Chair Rapaport said that the letter was drafted by the School Board Adequacy Network. The Committee discussed how, if an open enrollment bill passed, it would cause chaos with area agreements. The Committee asked Chair Rapaport if the bill passed, could a municipality prohibit students from leaving the district and prohibit out of district students from coming in. Chair Rapaport said that theoretically they could. Deputy City Manager Lunney stated that it is likely that the "0" in and "0" out vote would create legal standing to challenge the law.

The Committee discussed its concerns: the bill fails to address transportation of special ed students; the negative financial impact to receiving schools if sending schools are only obligated to pay between 80 to 100 percent of receiving district's cost per public; and the negative impact on schools losing a large number of students. Councilor Cook noted that open enrollment works very differently in other states because those states contribute a significant amount of per public education costs and NH does not. The Committee thanked Chair Rapaport for bringing the letter, and the list of unanswered questions on the bill compiled by various school districts, to its attention.

5. Mayors' Roundtable update – Mayor:
 - A. The Mayor discussed the Mayors' Roundtable written testimony in support of two risk pool bills, SB 605 and HB 1474, that would create two different risk pools (assessment and nonassessment) and require separate oversight and governance provisions for each risk pool and a longer time to pay assessments.
 - B. The Mayor discussed the Mayors' Roundtable written testimony in support of SB 626, a bill that would define citizens in Right to Know statute as New Hampshire Residents.
6. The Committee discussed the bills on the attached bill list. Senior Assistant City Attorney Ferrini noted that the list is just a recommendation to the Committee.

The Committee discussed three bills that would have allowed Newington to be exempt from last year's law that permits multi-family development in commercial zones (HB 1010, HB 1065 and HB 1349). Assistant Mayor Kelley was particularly concerned that Representative Meuse and Representative Mandelbaum sponsored HB 1349 because the majority of their constituents are from Portsmouth, and she requested that they report back to the Committee either by coming to the next meeting or in writing their reasons for sponsoring the bill.

The Committee discussed HB 1474, a bill that would substantially reduce the City's meals and rooms distribution by approximately 72 %. Staff noted that the towns with the biggest reductions are identical to the "donor town" communities.

The Committee asked for further information on HB 1648, a bill regarding homestead exemptions and SWEPT before supporting or opposing it. The Committee had a discussion about how this bill might redistribute the SWEPT burden throughout the state, with higher value homeowners and commercial property bearing an increased burden for SWEPT. The Committee requested more information on how the bill would apply given the City's current assessed property values before deciding whether to support or oppose the bill. The Committee also wanted more information about HB 1648, a bill regarding the regulation of homestead foods before taking a position on the bill.

Councilor Cook proposed that the Committee change HB 1303 from track to support. It is a bill that authorizes municipalities to adopt zoning ordinances related to the protection, management, or replacement of tree canopy. The Committee agreed that this bill is supported by the amendment to Legislative Principle #7 as amended. Councilor Cook also proposed that the City support, rather than track SB 633, a bill that would permit arts organizations to charge a surcharge to fund the Council on the Arts. The Mayor noted that this bill would be supported by proposed Legislative Principle # 23 above and the Committee agreed.

Assistant Mayor Kelley moved and Councilor Cook seconded a motion to approve the bill list as amended. The motion passed unanimously.

7. Adjournment: Assistant Mayor Kelley made a motion to adjourn seconded by Councilor Cook. The meeting adjourned at 10:05 a.m.

Meeting minutes prepared by:

Jane Ferrini
Senior Assistant City Attorney



Deaglan McEachern
Mayor

CITY OF PORTSMOUTH

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(603) 610-7200

1. Personal Information

Deaglan McEachern, Mayor
Portsmouth, NH 03801

2. Committee and Bill

Committee: Senate Election Law and Municipal Affairs

Bill: HB 348

A bill regarding eligibility for local assistance

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **opposes HB 348** and urges the Senate Election Law and Municipal Affairs Committee to vote the bill ITL.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Science Technology and Energy

Bill: HB 1002

A bill that repeals solar energy system tax exemptions

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **opposes HB 1002** and urges the House Science, Technology and Energy Committee to vote the bill ITL.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Housing

Bill: HB 1010

A bill relative to residential development on commercially zoned land

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **opposes HB 1010** and urges the House Housing Committee to vote HB 1010 ITL.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Housing

Bill: HB 1065

A bill relative to multi-family and mixed-use development in
commercially zoned areas

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **opposes HB 1065** and thanks the House Housing
Committee for unanimously voting the bill ITL.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Municipal and County Government

Bill: HB 1184

A bill regarding the issuance of no trespass orders on municipal property

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **opposes HB 1184** and urges the House Municipal and County Government Committee to vote the bill ITL.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Municipal and County Government

Bill: HB 1195

A bill relative to zoning requirements for child daycare providers

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **supports HB 1195** and urges the House Municipal and County Government Committee to vote to pass it.

Thank you for your consideration.



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2. Committee and Bill

Committee: Senate Commerce

Bill: HB 1196

A bill repealing the state housing champion designation and grant program

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **opposes HB 1196** and urges the Senate Finance Committee to vote the bill ITL.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Housing

Bill: HB 1251

A bill relative to restricting municipal downzoning inconsistent with existing neighborhood density

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **opposes HB 1251** and urges the House Housing Committee to vote the bill ITL.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Housing

Bill: HB 1303

A bill that authorizes municipalities to adopt zoning ordinances related to the protection, management, or replacement of tree canopy

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **supports HB 1303** and urges the House Housing Committee to vote to pass it.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Housing

Bill: HB 1349

A bill relative to exemptions from multi-family zoning requirements
for small or low-density communities

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **opposes HB 1349** and thanks the House Housing
Committee for unanimously voting the bill ITL.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Legislative Administration

Bill: HB 1359

A bill relative to the payment of NHMA dues

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **opposes HB 1359** and urges the House Legislative Administration Committee to vote the bill ITL.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Legislative Administration

Bill: HB 1360

A bill relative to legislative oversight of NHMA

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **opposes HB 1360** and urges the House Legislative Administration Committee to vote the bill ITL.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Ways and Means

Bill: HB 1433

A bill relative to the child care tax credit

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **supports HB 1433** and urges the House Ways and Means Committee to vote to pass it.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Ways and Means

Bill: HB 1474

A bill that amends the meals and rooms distribution

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **opposes HB 1474** and urges the House Ways and Means Committee to vote the bill ITL.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Commerce and Consumer Affairs

Bill: HB 1491

A bill relative to assessment and nonassessment risk pools with different oversight and governance

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **supports HB 1491** and urges the House Commerce and Consumer Affairs Committee to vote to pass it.

Thank you for your consideration.



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2. Committee and Bill

Committee: House Ways and Means

Bill: HB 1580

A bill relative to the taxation of non-primary residences

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **supports HB 1580** and urges the House Ways and Means Committee to vote to pass it.

Thank you for your consideration.



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2. Committee and Bill

Committee: Senate Finance

Bill: SB 419

A bill relative to the housing champion designation program
and the affordable housing fund and making appropriations

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **supports SB 419** and urges the Senate Finance
Committee to vote to pass it.

Thank you for your consideration.



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2. Committee and Bill

Committee: Senate Finance

Bill: SB 605

A bill relative to special assessment requests from pooled risk management programs

3. Representing

I am an elected official

I am representing the City of Portsmouth

4. Position on bill

The City of Portsmouth **supports SB 605** and urges the Senate Finance Committee to vote to pass it.

Thank you for your consideration.



**New Hampshire Municipal Association
2027-2028 Legislative Policy Process**

This sheet should accompany each proposed legislative policy. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal and an explanation that describes the nature of the problem or concern from a municipal perspective and discusses the proposed action that is being advocated to address the problem. Mail to NHMA, 25 Triangle Park Drive, Concord, NH 03301; or e-mail to governmentaffairs@nhmunicipal.org ***no later than the close of business on April 17, 2026.***

Submitted by (Name):

City or Town:

Date:

Title:

Phone:

Email:

Explanation of Proposed Policy

To see if NHMA will SUPPORT/OPPOSE:

Municipal interest to be accomplished by proposal:

Explanation:



2027-2028 NHMA Legislative Policy Process Questions & Answers

1. What is the purpose of establishing NHMA legislative policy? The New Hampshire Municipal Association (NHMA) is the voice of New Hampshire's cities and towns before the state legislature and state agencies. Adoption of legislative policy allows your municipal voice to be heard through the actions of your organization – NHMA. By adopting legislative policy, local officials can tell elected representatives what they feel are the major concerns of cities and towns.

The NHMA Board of Directors oversees NHMA's advocacy activities. Legislative policy positions direct the board and NHMA staff in representing municipalities before the legislature and state agencies.

2. How are legislative policy recommendations prepared? In the spring of each even-numbered year, NHMA forms legislative policy committees addressing different aspects of municipal government. The three committees this year are:

1. Finance and Revenue;
2. General Administration and Governance; and
3. Infrastructure, Development, and Land Use.

These three policy committees consider issues and problems derived from their own experience as local officials, issues sent in by other members or brought to them by staff, past policy positions, and issues resulting from the most recent legislative session. Each committee holds several meetings during the spring and develops policy recommendations to be voted on by member municipalities at the Legislative Policy Conference.

3. Who votes on adoption, amendment, or rejection of these recommendations, and when? On Friday, September 11, 2026, the 2027-2028 NHMA Legislative Policy Conference will be held at NHMA offices (25 Triangle Park Drive) in Concord. ***Each member municipality will be asked to appoint a voting delegate to cast its vote at this conference.*** Each member municipality, regardless of size, has one vote on all policy matters.

In the absence of any other designation by the board of selectmen, aldermen, or council, a voting delegate card will be issued at the door (in order of priority determined by the NHMA Municipal Officials Directory) to:

Mayor/Chair of Board of Selectmen/Council Chair

OR

Mayor Pro Tem/Vice or Assistant Mayor/Council Vice Chair

OR

Selectman/Alderman/Councilor

OR

City or Town Manager/Town Administrator/Administrative Assistant

4. Will other policy proposals be voted on at the conference? Yes, municipalities will have the opportunity to submit floor policy proposals for consideration at the conference. Each floor policy proposal must be approved by the governing body of the municipality submitting it, but the proposals will not be reviewed or recommended by NHMA's legislative policy committees. Floor policy proposals will be voted on separately at the conference. Floor policy proposals must be submitted no later than August 4, 2026, and will be provided to all members for review in advance of the conference.

5. How does our voting delegate determine a position on these recommendations? We urge each municipality's governing body to discuss the recommendations in advance of the Legislative Policy Conference and vote to take a position on each one, in order to give direction to the voting delegate. Otherwise, your voting delegate is free to cast your municipality's vote as he or she desires. ***You do not need to notify NHMA of your positions on the policy recommendations; just provide that information to your voting delegate.***

6. How are the policy recommendations presented and voted on at the Legislative Policy Conference? The chair of the board of directors, as the presiding officer of the Legislative Policy Conference, introduces the entire set of recommendations of each policy committee, one committee at a time, as a slate. The chair and vice chair of each committee will be available to address questions. Any voting delegate may ask that a recommendation be set aside to be debated and voted on separately. The remaining recommendations are voted upon as a slate. After the slate from each policy committee has been voted, the voting delegates will return to those items set aside for separate debate and vote. It is at this time that individual items can be killed, amended, passed over, laid on the table, etc. Votes are by a display of voting delegate cards.

7. Are policies adopted by a simple majority vote? No. NHMA's bylaws require a two-thirds affirmative vote of those members present and voting for approval of any NHMA legislative policy.

8. Why is the Legislative Policy Conference separate from the November annual meeting? The Legislative Policy Conference must be held before the annual conference to meet the legislative deadlines for the filing of new bills. The staff needs time after adoption of policies to draft bills and secure sponsors.

9. How will I know what policies are adopted if I don't go to the Legislative Policy Conference? The final 2027-2028 NHMA Legislative Policies will be printed as a booklet. We will also post them on NHMA's web site at www.nhmunicipal.org.

10. What happens if an issue that is not covered by any of these policies comes before the legislature? The NHMA Board determines the position that the staff will advocate on issues not covered by specific NHMA legislative policies. The policy conference also endorses a set of Legislative Principles, which augment the specific

legislative policy positions by setting forth general principles that guide staff in their advocacy efforts.

LEGISLATIVE SUBCOMMITTEE – BILL LIST APPROVED BY COMMITTEE VOTE FEBRUARY 9, 2026 **update list as of 03122026**

Recommendations: **T=Track** **O=Oppose** **S=Support**
Votes: ITL = killed T= Tabled INTS= Interim Study P=Passed

HOUSING

	<u>Bill</u>	<u>Title</u>
ITL	<u>HB 1007</u>	Subject: relative to manufactured housing H Housing ITL
ITL	<u>HB 1009</u>	Subject: relative to municipal parking requirements for residential units
O	<u>HB 1010</u> Housing	Subject: relative to residential development on commercially zoned land passed House in Senate Commerce
T	<u>HB 1017</u>	Subject: relative to accessory dwelling units and workforce housing H Housing ITL on RC
ITL	<u>HB 1026</u>	Subject: relative to the definition of manufactured housing
ITL	<u>HB 1065</u> Housing	Subject: relative to multi-family and mixed-use development in commercially zoned areas
T	<u>HB 1103</u>	Subject: allowing municipalities to utilize community revitalization tax relief credits on a wider variety of properties and structures Passed House
T	<u>HB 1136</u>	Subject: relative to accessory dwelling units H Housing ITL on RC
T	<u>HB 1145</u>	Subject: relative to affordable housing investment fees H Housing ITL RC

- T [SB 508](#) Subject: relative to the zoning board of adjustments appeal period
Passed Senate w/amendment (no issue from Planning) in H
Municipal no hearing yet
- T [SB 564](#) Subject: prohibiting certain municipal development restrictions
Passed Senate no hearing yet in H Housing

MUNICIPAL

- O [HB 348](#) Subject: eligibility for local assistance
Passed House w/amendment, registered in Senate Election in
opposition Hearing 3/3
(NHMA supports amendment)
- O [HB 751](#) Subject: authorizing parents to enroll their children in any public
school in the state, and creating a limited exemption from parental
consent required for certain recordings under the parental bill of
rights School Boards joint open letter to Governor in opposition
House nonconcur CofC scheduled
- TBLD [HB 1002](#) Subject: repeal solar energy systems tax exemption
Science Technology and Energy
- T [HB 1064](#) Subject: liability of governmental units
Passed House (increases limits of liability) Change to oppose?
- O [HB 1184](#) Subject: issuance of no trespass orders on municipal property
Passed House w/amendment
- S [HB 1195](#) Subject: zoning requirements for child day care providers
House passed w/amendment
- O [HB 1359](#) Subject: payment of NHMA dues
Legislative Administration H ITL RC
- O [HB 1360](#) Subject: legislative oversight of NHMA
Legislative Administration H ITL RC
- S [HB 1433](#) Subject: child care tax credit

	W & M	Passed H in Senate W & M no hearing yet
ITL	HB 1474 W & M	Subject: amends meals and rooms distribution by reducing distributions to property rich communities
ITL	SB 605 Finance	Subject: special assessment requests from pooled risk management programs Senate voted ITL
S	HB 1491	assessment and nonassessment risk pools with different oversight and governance Passed H not yet referred to Senate Committee
ITL	HB 1580 W & M	Subject: taxation of non-primary residences
T	HB 1609	Subject: limiting use of state, county or municipal funds and property for construction and operation of certain immigrant detention facilities H Exec ITL RC
INTS	HB 1648	Subject: homestead property tax exemption House voted Interim Study
TBLD	HB 1786	Subject: second home tax Committee wanted more information
T	SB 418	Subject: prohibiting municipalities from regulating homestead foods Passed S in H Environment no hearing yet Remove local inspecting municipalities from regulating homestead foods
S	SB 490	Subject: task force to study housing at Pease Passed S w/amendment in H Housing no hearing yet
T	SB 590	Subject: use of municipal revolving funds to support electrical services under approved electric aggregation plan

Senate voted OTP in H Science no hearing yet

- T** [SB 626](#) Subject: define citizens in Right to Know law as New Hampshire residents
S Judiciary OTP w amendment RC
- T** [SB 633](#) Subject: voluntary surcharge to fund Council on the Arts
W & M After 02092026 Meeting, reviewed amendment that removed
voluntary surcharge and changed to requiring donations over 50K for
grants or donations approved by Governor and Executive Council
S passed w/amendment in H W & M no hearing yet
- ITL** [SB 634](#) Subject: hotel occupancy fee \$2 per night
- TBLD** [SB 651](#) Subject: legalization of cannabis
Senate Tabled pending motion ITL

- ITL** [HB 1220](#) City approval of school budgets
- T** [HB 1233](#) minutes nonpublic
- H Housing OTP in Senate Election hearing 03182026
- T** [HB 1275](#) sludge moratorium and PFAS fund
- H Environment OTP w/amendment RC
- T** [HB 1300](#) nongermane amendment to redistricting bill requires ballot question of tax cap no higher than inflation
- H Election OTP w/amendment RC
- T** [HB 1434](#) Keno
- H Municipal ITL RC
- T** [HB 1433](#) creating child care credit for qualifying businesses
- Passed House in Senate W & M no hearing yet
- T** [HB 1515](#) repeals childcare grant program
- H Finance passed w/amendment not assigned Senate Committee yet
- T** [HB 1540](#) allowing ADU in protected shoreland with CUP
- House passed w/amendment not assigned Senate Committee yet
- T** [HB 1515](#) repeals childcare grant program
- H Finance OTP w/amendment RC
- T** [HB 1555](#) appeal fire code
- H Executive Passed w Amendment now in H Finance
- T** [HB 1581](#) requires municipalities to notice owner of change to assessed property
- House passed w/amendment not assigned to Senate Committee yet
- T** [HB 1588](#) Housing special assessment districts
- Housing passed not assigned to Senate Committee yet

ITL [HB 1625](#) expedite building permit approval small home repairs

ITL [HB 1680](#) public transportation funding

H Transportation

ITL [HB 1691](#) restricts eligibility for current use

Ind Postpone

[HB 1704](#) employee negotiate directly with employer

House, Special Order next order of business passed, Table motion failed, amendment failed, Indefinitely postpone passed

T [HB 1711](#) government land use local land use hearing nonbinding

Passed House in S Election no hearing yet

T [HB 1756](#) allowing nonprofits to file for tax exemption once every 5 years

Passed H in Senate Election Law no hearing yet

T [HB 1759](#) change recusal of land use board to binding committee vote

Passed House w/amendment in Senate Election no hearing yet

T [HB 1771](#) waiver of child care staffing requirements

Passed House not assigned to Senate Committee yet

ITL [HB 1799](#) Rand bill

H vote ITL

T [HB 1815](#) edit definition of adequate education

Passed House in Senate Ed Funding hearing on 03132026