



MINUTES

CITY COUNCIL LEGISLATIVE SUBCOMMITTEE

Conference Room A at City Hall, 1 Junkins Avenue, Portsmouth, NH
Thursday, August 13, 2026, at 1:30 p.m.

In attendance: Mayor McEachern, Assistant Mayor Kelley, Councilor Cook, Councilor Flynn, Senior Assistant City Attorney Ferrini.

1. **Greeting:** Mayor McEachern opened the meeting at 1:33 p.m.
2. **Approval of Minutes:** Approval of April 13, 2026 Minutes. Assistant Mayor Kelley moved and Councilor Cook seconded a motion to approve the April 13, 2026 minutes. The motion passed unanimously.
3. **Review and discussion of the New Hampshire Municipal Association's 2027-2028 Proposed Legislative Policies and Principles:**

The Committee discussed NHMA's 2027-2028 Proposed Legislative Policies and Principles to make recommendations for the Council's approval at its August 17, 2026 meeting. The Mayor confirmed that NHMA did not accept Portsmouth's proposed policy on homestead exemptions. Attorney Ferrini summarized the main policy changes from two years ago (improve local control, parking, location solid waste facilities with increase environmental controls). The Committee reviewed and voted on the policies by subject matter:

A. Local Authority and Efficiency:

The Committee discussed the new proposed policies NHMA supports regarding increasing state support for welfare and well-regulated risk pools and a policy NHMA opposes legislation that requires ballot questions.

Councilor Cook moved to approve the Local Authority and Efficiency Policies and Assistant Mayor Kelley seconded the motion. The motion passed unanimously.

B. Right-to-Know, Elections, Labor and Employment:

Assistant Mayor Kelley moved to approve the Right-to-Know, Elections and Labor and Employment Policies and Councilor Cook seconded the motion. The motion passed unanimously.

C. Substance Use, Prevention & Response:

The Committee discussed the new policies NHMA supports regarding giving municipalities more local control and state support if cannabis dispensaries are in their community. Councilor Cook asked if these policies that only address supporting cannabis retail establishments in local communities would mean that NHMA would oppose state run cannabis facilities. The Mayor said if that were the case, it would not prevent the City from supporting that type of legislation. Assistant Mayor Kelley noted that state run cannabis facilities were not listed in the policies NHMA opposes.

Councilor Flynn moved to approve the Substance Use, Prevention & Response Policies and Assistant Mayor Kelley seconded the motion. The motion passed unanimously.

D. Property Tax and Related Revenue:

The Committee discussed NHMA's policy that opposes changes in taxing classes of property and determined that this policy would prohibit NHMA from supporting bills on taxation of second homes.

Councilor Cook moved and Councilor Flynn seconded a motion that the City will register in opposition to the following Property Taxes and Related Revenues Policy that NHMA opposes regarding **legislation that directly or indirectly increases or redistributes property taxes, including but not limited to new or expanded mandatory exemptions or credits, or changes in the process for valuing, assessing, or taxing specific classes of properties**. The motion passed unanimously.

E. State Aid and Non-property Tax Revenues:

The Committee discussed the new policy that supports legislation that would create compensation for host municipalities for casinos, like permitting enabling legislation or revenue sharing.

Councilor Cook moved to approve the State Aid and Non-property Tax Revenues Policies and Assistant Councilor Flynn seconded the motion. The motion passed unanimously.

F. New Hampshire Retirement System (NHRS) and Education Funding:

Councilor Flynn moved to approve the New Hampshire Retirement System (NHRS) and Education Funding Policies and Assistant Councilor Cook seconded the motion. The motion passed unanimously.

G. Energy, Environment and Sustainability:

Councilor Cook moved to approve the Energy, Environment and Sustainability Policies and Councilor Flynn seconded the motion. The motion passed unanimously.

H. Water Resources Protection, Control and Management:

Councilor Cook moved to approve the Water Resources Protection, Control and Management Policies and Assistant Councilor Flynn seconded the motion. The motion passed unanimously.

I. Solid Waste Management:

The Committee discussed the new policies that increase local control regarding the siting of state landfills.

Assistant Mayor Kelley moved to approve the Solid Waste Management Policies and Councilor Cook seconded the motion. The motion passed unanimously.

J. Housing:

The Committee discussed the policy that NHMA opposes ***“legislation that erodes local control over land use decisions.”*** The Committee discussed this blanket opposition as having the result of letting some municipalities take no action in creating workforce housing, leaving communities like Portsmouth to address this problem.

Council Cook moved to register in opposition of this Policy and Assistant Mayor Kelley seconded the motion. The motion passed unanimously.

K. Land Use:

The Committee again discussed how it supports local control generally, however it opposes a blanket opposition to statewide zoning amendments regarding housing because some municipalities use this policy of opposing statewide zoning amendments to fail to address and permit the construction of workforce housing. Councilor Cook spoke to the issue of neighboring small towns supporting legislation last session to exempt them from complying with statewide zoning amendments that support housing.

Councilor Cook moved and Assistant Kelley seconded a motion to support bullets 1-4 & 7 and oppose all other Policies under Housing. The policies that NHMA supports that the city opposes include: ***(Increased local control over parking requirements for new development, including residential, and increased state investment in public parking infrastructure; and Increased local control over***

the implementation of statewide land use mandates). The Policies NHMA oppose that the City opposes include: **(Legislation that limits municipal control in implementing statewide priorities in zoning and land use regulations; New state mandates requiring municipalities to allow specific types of housing; Legislation and policies that limit municipalities ability to regulate building codes, inspections and enforcement; and All other statewide land use mandates)**. The motion passed unanimously.

L. Information Technology, Communications and Cybersecurity:

The Committee discussed the following policy that NHMA opposes and concluded that it was unclear, and as a result, Councilor Cook moved and Councilor Flynn seconded a motion to take no position on the policy regarding **legislation that limits municipalities' ability to prevent or regulate deployment of technologies that would interfere with the management of the right of way**. The motion passed unanimously.

M. NHMA's Proposed Legislative Principles 2027-2028:

The Committee voted to approval the NHMA's Proposed Legislative Principles 2027-2028 except for Policy 13 (**Support municipalities' ability to re-adopt state laws that are local options that the state has modified, rather than the changes being mandated**) because it was unclear. Councilor Cook moved and Councilor Flynn seconded a motion to take no position on this Principle. The motion passed unanimously.

4. **Old Business:** none
5. **Adjournment:** The meeting adjourned at 2:30 p.m.

Prepared by Jane Ferrini, Senior Assistant City Attorney