



# Rockingham Planning Commission

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## RPC LEGISLATIVE POLICIES FOR 2006-2007 October, 2006

### Background

The Rockingham Planning Commission has considered and adopted a set of legislative policies to be communicated to our legislative delegation for the upcoming legislative session. This was done in an effort to provide timely input and specific suggestions for legislative initiatives, and also to help guide the RPC's position on legislation that may be filed. It is our hope that these policies will also prompt the filing of relevant legislation when appropriate.

The RPC legislative policies below are arranged into three groups. The first group represents the RPC's top legislative priorities for the year for which we may take specific actions such as identifying possible sponsors, assist in the drafting of proposed legislation as well as providing testimony on bills filed. The second group represents a broader list of policies for which we wish to express our specific support but may not take any specific action to initiate. The third group are additional legislative policies for which the Commission wishes to express a general position.

### GROUP 1: TOP PRIORITY

- **Developments of Regional Impact (DRI):** Support legislation proposed by the New Hampshire Association of Regional Planning Commission (NHARPC) that would make two specific changes in the existing DRI process (674:54). These would (1) obligate each region to undertake a cooperative process in their respective regions to develop and distribute guidelines to communities for determining what constitutes a 'development of regional impact', and (2) to authorize local land use boards to assess the applicant reasonable costs incurred for the regional impact review of these plans to be paid to the affected regional planning commission. [LSR filed: 2007-H-0236-R;]
- **Transportation Funding:** (1) Support legislation that would establish additional funding within the existing Ten Year Plan earmarked for expansion or modernization of roadways or multimodal projects on the 'Tier 2' (non-NHS state highways) and 'Tier 3' (federally eligible local roads and urban compact roads) systems. Projects would continue to be identified through the regional planning commission / MPO transportation improvement program and ultimately approved by the GACIT and legislative development process (RSA 228:99; 23 CFR 450) and in consultation with the NHDOT; (2) Support an increase in the motor vehicle fuels tax to fund the above referenced projects; and (3) Support the "indexing" of the motor vehicle fuels tax to inflation.
- **Downeaster Station Community Support:** Support legislation that would provide for state funding assistance to the three New Hampshire communities which host stations on NNEPRA Amtrak Downeaster service: Dover, Durham, and Exeter. At present these communities underwrite the full cost of maintenance and insurance costs for these stations that are part of

a regional / intercity transportation service with statewide significance, and with ridership originating from many communities in the region. Legislation is sought to either directly fund these costs from the general fund or establish a state or regional funding mechanism to cover station operation costs.

- **Volunteer Driver Liability:** Based on the outcome of the HB 1512 Study Commission, seek legislation that would restore indemnification for volunteers involved in non-negligent accidents while driving on behalf of municipal or not-for-profit agencies providing transportation to the elderly, disabled or other transit dependent riders.
- **Large Groundwater Withdrawals:** Support legislation as recommended by the Legislative Study Commission on Large Groundwater Withdrawals that would:
  - ❑ Require the identification and tagging of all new private wells to facilitate reporting and mapping;
  - ❑ Remove 'grandfathering' provisions exempting existing large withdrawal wells from current large groundwater withdrawal regulations; and
  - ❑ Establish a funding mechanism to support a water quality testing program for private wells.

## **GROUP 2: SECOND PRIORITY**

The following were identified as secondary priority legislative policies, meaning the Commission should review and monitor legislation that addresses these issues and possibly support (or oppose) as determined by the Commission's review of the specifics of actual legislation.

- **Transportation Management Association (TMA) funding:** Support the reintroduction of HB 1604 or similar legislation, which establishes business tax credits for employer-sponsored shared commuting costs.
- **Shoreland Protection:** Monitor recommendations relative to the study commission for the comprehensive shoreland protection act (established in 2005 by SB-83) and support related legislation as appropriate and consistent with RPC and NHARPC policies.
- **Septage Management:** Support legislation relative to the further study, regionalization or implementation of regional septage treatment facilities.
- **Household Hazardous Waste:** Support legislation that would restore adequate funding for local and regional HHW programs, and promote the development of regional household hazardous waste collection facilities.
- **Desalination & Regional Water Supply:** Support legislation relative to the promotion or further study of augmenting potable water supply in the seacoast area with desalination, and of the regionalization of water supply sources in the area; Support legislation to establish financial and regulatory incentives for public water supply systems to interconnect their water systems and to cooperatively develop new water supply sources and implement conservation measures.

- **Regional Sewer Outfall:** Monitor and evaluate legislation relative to implementing recommendations of the Great Bay Estuary Wastewater Management Study when completed and endorsed by the Great Bay Estuaries Commission (SB-70).
- **Planning Funding:** The Commission should advocate for restoration of targeted block grant (TBG) funding (NHEOP) to the level equivalent to when the program was established (1986). In addition, the Commission should monitor the legislative process for reviewing departmental budgets for the Department of Environmental Services, and Office of Emergency Management and support continuation of existing state funding sources for regional planning, including the Targeted Block Grant (TBG), Regional Environmental Planning Program (REPP), Coastal Program and Estuaries Program Technical Assistance Grants, Hazard Mitigation Planning Grants, and Transportation Planning & Research Grants (SPR).
- **Method of Adoption for Regulations and Master Plans:** Amend RSA 675:6 to require an additional public hearing and notice if a proposed master plan or regulation is substantively changed during the public hearing process. This mirrors the requirements for adoption of zoning ordinances and is consistent with the apparent intent of providing adequate public opportunity to comment on substantive changes to documents that are different than proposed in the notification of the hearing, as required in 676:7. It could be argued that it is more important to have additional notice in the case of regulations and master plans since, unlike zoning ordinances, they are not subject to additional approval by the legislative body (Town Meeting).
- **Renewable Energy Sources – Renewable Portfolio Standards:** Support legislation that would establish renewable energy portfolio standards (RPS's) for retail electricity suppliers operating in New Hampshire. Renewable Portfolio Standards (RPS) are state policies mandating that a certain minimum percentage of purchased electric power be generated from renewable energy sources such as solar photovoltaic or solar thermal electric energy, wind energy, ocean thermal, wave or tidal energy, fuel cells using an eligible new renewable fuel, landfill methane gas and other qualified sources. Currently, 16 states – including every New England state except New Hampshire and Vermont -- have enacted RPS legislation with mandatory renewable generation standards.

### **GROUP 3: ADDITIONAL LEGISLATIVE POLICIES**

The RPC should continue to generally support other legislative priorities adopted for the previous (2005-2006) session not addressed above, as consistent with general RPC policies. These include:

- **Affordable Housing Incentive:** Support legislation that would establish state financial incentives to municipalities that have met certain criteria relative to the addition of affordable housing in their communities.
- **LCHIP Funding:** Support legislation to create permanent funding for the Land and Community Heritage Investment Program.
- **Open Space Retention/Sprawl Prevention:** Support legislation encouraging statewide programs that provide incentives and assistance to municipalities to adopt land use planning approaches that will better prevent sprawl, encourage compact development and the related retention of open space, and preserve community character.

- **OEP/RPC Funding for Local Master Planning:** Support increased funding for OEP and RPA's in order to assist municipalities to implement HB 650 relative to local master plans and support for the implementation of HB 712 relative to the development of regional plans.
- **Utilization of Gas Tax Receipts for Multi-Modal Transportation:** The Commission continues to support an amendment (via CACR) to Article 6-A of the NH Constitution to allow revenue from taxes on motor vehicle fuels to be expended on alternative land transportation modes, including passenger rail, in addition to the construction and maintenance of public highways.