

# Senate Election Law and Municipal Affairs Committee

*Jessica Bourque 271-2104*

**HB 168**, relative to including municipal public works facilities as eligible capital facilities for the assessment of impact fees.

**Hearing Date:**April 22, 2025

**Time Opened:**10:02 a.m.

**Time Closed:**10:06 a.m.

**Members of the Committee Present:** Senators Gray, Lang, Perkins Kwoka, Rochefort and Long

**Members of the Committee Absent:** None

**Bill Analysis:**This bill enables municipalities to enact impact fees on developments to help meet the need occasioned by that development for construction or improvement of public works facilities.

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**Sponsors:**

Rep. Pauer

Rep. T. Dolan

Rep. Lascelles

Rep. Maggiore

Rep. Melvin

Rep. Veilleux

Sen. Ricciardi

Sen. Watters

Sen. Avar

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**Who supports the bill:** Rep. Diane Pauer, Eric Pauer, Barrett Christina, Brodie Deshaies

**Who opposes the bill:** No one

**Summary of testimony presented:**

**Representative Diane Pauer, Prime Sponsor, Hillsborough-District 36**

- This bill adds public works facilities to the list of eligible facilities for which impact fees may be assessed.
- Impact fees may be assessed by planning boards on new development or construction that impacts the need to build new or expand on municipal facilities.
- Currently, there are 21 eligible capital facility purposes for which an impact fee may be assessed. These include public water and sewer, storm water, public libraries, municipal offices, public roads, public schools, public safety, solid waste, and recreation.

- This appears to be an oversight in the law.
- There are at least 6 municipalities that have constructed or expanded public works facilities, but because of the current law, they have been unable to assess impact fees for these facilities.
- This seems to be a fair and reasonable addition to the current statutes.

**Eric Pauer, Brookline Planning Board**

- Brookline built a public works facility in 2022, and they cannot collect impact fees because it isn't in the law.
- Nashua and Hollis are two of the other municipalities that can't collect impact fees for their facilities.

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Date Hearing Report completed: April 25, 2025