



**State Senator Tim McGough**

New Hampshire Senate

Senate District 11 – Merrimack, Amherst, Milford, Wilton

Written Testimony of State Senator Tim McGough

In Support of HB 1543 – Relative to the Transfer of State-Owned Real Property to Municipalities

Thank you, Mr. Chairman, and members of the Committee.

For the record, my name is State Senator Tim McGough, representing Senate District 11, which includes the towns of Merrimack, Amherst, Milford, and Wilton. I appreciate the opportunity to testify in support of House Bill 1543, and I want to thank Representative Julie Miles for her leadership and careful work on this issue.

I want to begin by emphasizing that HB 1543 is not duplicative of existing law, nor is it intended to undermine the Department of Transportation, the Governor and Council, or the 10-Year Highway Planning process. Instead, it fills a very real gap that has repeatedly surfaced when state-owned transportation assets are proposed for reclassification or transfer.

The current debate over Continental Boulevard illustrates this gap clearly—but it is not unique, and it is not confined to Merrimack.

Continental Boulevard was constructed primarily to facilitate regional and statewide transportation needs, not simply local access. Its principal purpose was to provide improved truck and commercial access from the F.E. Everett Turnpike, Route 3, out to State Route 101A, and onward to Amherst, Milford, and communities beyond, including access to postal facilities and major industrial uses outside Merrimack's boundaries.

While local access in Merrimack is certainly facilitated by the roadway, that access already existed at the time of construction. The primary justification for the road's upgrade and configuration was regional connectivity, not municipal convenience.

That distinction matters, because one of the arguments sometimes raised is that once toll facilities are removed or funding mechanisms change, responsibility should automatically shift to the host town. That argument does not reflect either the historical record or the legal reality. Funding source at construction does not equate to perpetual municipal obligation, and the removal of tolls does not, by itself, justify a forced transfer of ownership or maintenance responsibility.

More importantly, this issue is not about one road. Across my district alone—Route 101A, Route 122, and other class I and class II highways—similar reclassification scenarios could



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arise. The same is true across New Hampshire, particularly in smaller towns that lack the tax base to absorb sudden, unplanned infrastructure costs.

Some have suggested that current statutes already address these concerns. In practice, they do not.

Existing law allows reclassification and turnbacks to proceed through a patchwork of provisions that were never designed to fully address public notice, municipal concurrence, asset condition, and transition planning in a comprehensive way. While courts have recognized the state's authority in this area, municipalities and taxpayers are often left with limited process and limited protection.

HB 1543 does not attempt to relitigate that authority. Instead, it establishes clear procedural guardrails so that when reclassification or transfer is contemplated, it happens with advance written notice, local public hearings, a documented assessment of the asset's condition, rehabilitation completed before transfer, and—where appropriate—phased transitions or time-limited assistance.

That is not redundancy—that is clarity.

I also want to be clear that HB 1543 is fully compatible with the 10-Year Highway Plan, which I strongly support. The 10-Year Plan prioritizes capital investments, but it does not address ownership transfer, long-term maintenance liability, or sudden cost-shifting to municipal taxpayers. HB 1543 complements that process by addressing what happens after a road's role in the state system is reconsidered.

From a taxpayer's perspective, this bill is about predictability and fairness.

Municipal budgets are planned years in advance. When a town is unexpectedly handed a major roadway or structure—especially one designed for regional traffic—the result is often property tax increases, deferred local infrastructure, or both. That outcome undermines public trust and strains the state-municipal partnership.

HB 1543 helps prevent that by ensuring there is a plan before responsibility shifts, and that municipalities are not asked to accept assets that have accumulated decades of deferred maintenance.

This legislation does not stop transfers. It ensures they happen transparently, deliberately, and responsibly.



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I want to thank the Committee for its hard work and for the seriousness with which you approach transportation policy. HB 1543 is offered in that same spirit—as a commonsense safeguard to protect every New Hampshire municipality and taxpayer from unplanned infrastructure liability.

I respectfully ask the Committee to support HB 1543 and move it forward.

Thank you for your time, and I am happy to answer any questions.