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## North Country Town Implores Lawmakers To Preserve Local Control

Senate Passes HB 707, Which Returns To House

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During a New Hampshire Senate floor vote on Wednesday, state Sen. David Rochefort, R-Littleton offered a floor amendment to preserve Bethlehem's legal agreement with a landfill company operating in its town, but the amendment was defeated in a 12-12 vote, after which the Senate passed the bill with the language seeking to override legal agreements.

The New Hampshire Senate on Wednesday voted for an amended bill favoring the expansion of existing landfills and the rolling back of existing legal agreements a community might have with their operators, as the Bethlehem Select Board reaches out to lawmakers, imploring them to oppose that bill and a similar one.

## Wednesday's Votes

In a floor vote, the Senate passed House Bill 707, first proposed in 2025 and originally seeking to modify siting rules to avoid significant harm to human health and the environment.



In October, the Senate Energy and Natural Resources Committee amended the bill to add language on legal contracts and expansions. HB 707 also seeks to create a new solid waste site evaluation committee and pause new landfill development until July 2027.

In 2026, HB 707 will return to the House of Representatives — a committee for which, in March 2025, recommended ought to pass in its original form — for a full House vote.

During Wednesday's Senate vote, state Sen. David Rochefort, R-Littleton, offered a floor amendment to replace the Senate committee's amendment.

"This is an issue that seems to be Groundhog Day, and here we are again," said Rochefort. "Some might argue that the amended bill is necessary to deliver broad benefits to New Hampshire, a public benefit. However, when you review what the state landfill capacity is, it shows that we have sufficient capacity in this state until approximately 2034, and that's without taking into account the already planned expansions in our existing facilities. Make no mistake — this legislation is targeted at a single project."

Rochefort said that, in his opinion and in the opinion of his district and constituents, HB 707 would benefit not the whole state but one operator.

"After years of litigation and untold sums of legal fees, the little town of Bethlehem ultimately reached a settlement with a landfill operator," he said. "That agreement entered into by both sides in good faith was legally binding and accepted by all parties. They thought the fight was over. Here we find ourselves today, and this legislation would effectively void that agreement unilaterally without the consent or input of one of the parties. You hear the term 'pull the rug out.' This bill pulls the rug out from under a deal that was lawfully negotiated and settled. The proper way to change or exit an agreement is not through legislation like this, but by placing the question on the town ballot and allowing the people of Bethlehem to decide. They entered into the agreement and they should retain the right to determine whether they wish to remain in it."

In Bethlehem, that local process is currently underway for the town meeting in March, said Rochefort.

"So knowing that, and knowing that we have two other bills introduced in committee coming up this year, the question becomes why do we need this bill now?" he said. "Many raised serious concerns about the constitutionality of this approach. Why enter into this approach if we know we will be in court again, whether it's the town of Bethlehem or the state of New Hampshire?"

Rochefort said his amendment preserves much of the language of the committee's amendment and "respects the rule of law, honors local control, and allows the people most affected to choose their path forward."

His amendment failed by one vote, in a 12-12 Senate vote.

The full Senate then voted to adopt the Senate committee's ought-to-pass recommendation of HB 707.

Afterward, the Bethlehem Select Board issued a statement thanking Rochefort.

"We appreciate his willingness to listen to local officials and to seek changes that respect municipal authority and existing legal obligations," they said.

HB 707 next goes to the Finance Committee.

Also on deck for the legislative session is Senate Bill 593, which is new for 2026.



## Bethlehem's Letter

During a discussion of the bills at Monday's Bethlehem Select Board meeting, the board unanimously agreed to send a letter to state Rep. Judy Aron, R-Acworth, who chairs the House's Environment and Agriculture Committee, and state Sens. Howard Pearl, R-Loudon, and David Watters, D-Dover, two sponsors of HB 593, and Rochefort.

"These bills represent a significant and concerning erosion of municipal land-use authority," the Bethlehem board members in their letter. "Local control over zoning, planning, and land-use decisions has long been a cornerstone of New Hampshire governance, ensuring that decisions affecting public health, safety, property values, and community character are made by boards accountable to the residents most directly impacted. SB 593 also risks Bethlehem's existing legal contracts with Casella that were negotiated and implemented in good faith and represent the will of the citizens of the town."

Bethlehem, they said, is not opposed to responsible waste management or to economic activity conducted in compliance with existing law, however, the two bills would "fundamentally alter the balance between state oversight and municipal authority by limiting the role of local land-use boards in reviewing, conditioning, or denying landfill expansion proposals within their own communities."

"Once local control is removed, it cannot be easily restored, and the long-term consequences for municipalities across New Hampshire are substantial," said the Bethlehem board members. "We also wish to acknowledge that you may receive letters of support for these bills. We respectfully encourage legislators to closely examine the sources and motivations of those letters. Many supporting comments may originate from parties who stand to benefit financially from landfill

expansion or from entities whose interests do not align with the long-term well-being of host communities. While such perspectives are entitled to be heard, they should not outweigh the voices of municipalities tasked with protecting residents, infrastructure, and natural resources.” The Select Board, said its members, represents all Bethlehem residents, including those who might benefit financially from landfill-related activity.

“We have worked diligently to avoid rekindling past animosity between neighbors and to maintain community cohesion on a deeply complex and emotional issue,” said the board members. “Our opposition to HB 707 and SB 593 is not rooted in opposition to any individual business, but in our firm belief that removing municipal authority will ultimately harm communities, exacerbate conflict, and undermine public trust in land-use decision-making. Local officials are best positioned to weigh competing interests, impose appropriate conditions, and respond to site-specific impacts. State-level preemption of these responsibilities sets a troubling precedent that extends well beyond landfill regulation.”

Several residents at Monday’s meeting voiced support for the letter, among them Steve Dignazio, who asked what the town’s plan is if the bills pass into law.

The legislation next goes to committee, and Bethlehem residents, in addition to the town sending the letter, will have an opportunity to speak directly to lawmakers, said Nancy Strand, chair of the Select Board.

If the legislation passes all the way through, does the town have a plan or any legal instruction, asked Dignazio.

“It’s targeted at Bethlehem,” he said.

“I think it’s going to become a legal issue because of our settlement agreement,” said Strand. “And if our settlement agreement is overridden by the state, I think Bethlehem has to decide whether we’re going to fight that. No plan has been made yet, to answer your question, but there’s worry.”

The town has attorneys who represent it for any situation and who will be fully prepared to fight, if need be, said town administrator Mary Moritz.

Town officials hope it doesn’t get that far.

"It's really in our best interest to avoid that because nobody wants to pay another million-dollar legal fee," said Moritz.

"I would encourage anyone who is strong in maintaining local control to look at all those senators and write to them and fill their inbox," said Bethlehem Selectman Mike Bruno. "They need to hear you, because if they don't hear from us, they'll say, 'well, it's obviously not a problem because no one's speaking out.'"

Those watching legislative hearings online can register their support or opposition to a bill, and if the number of people opposing the two bills is high, lawmakers will not be apt to move forward with the bills, concluding they're not favorable to the public, said Bruno.



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