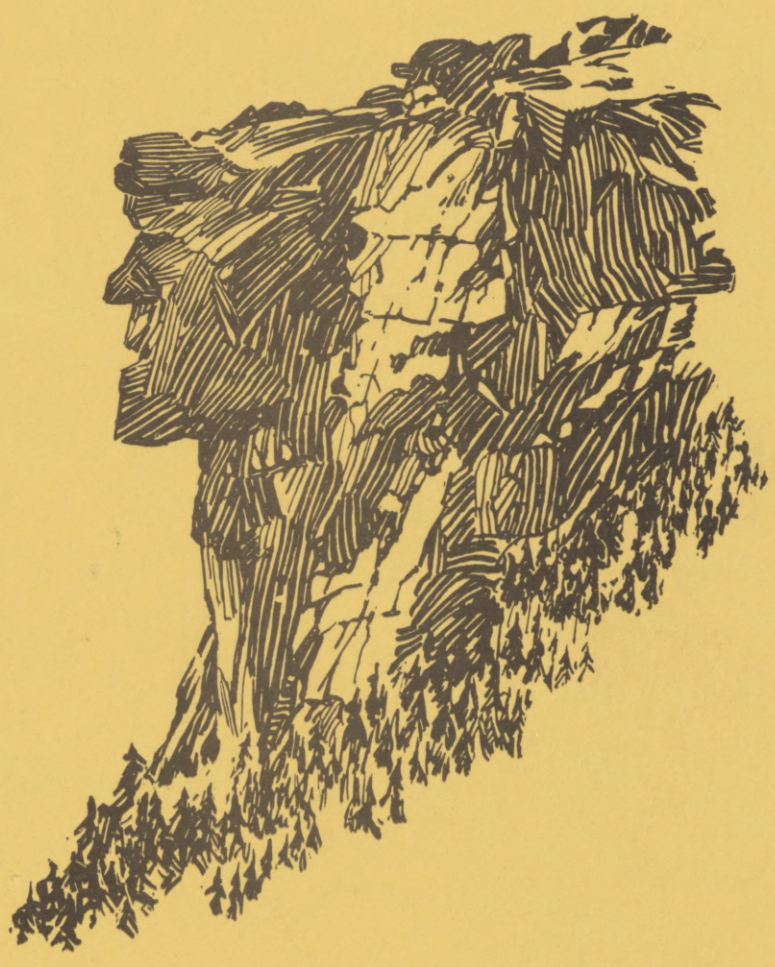
NEW ENGLAND AGRICULTURAL ECONOMICS COUNCIL

PROCEEDINGS
1968



UNIVERSITY OF NEW HAMPSHIRE
DURHAM, NEW HAMPSHIRE

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RURAL GOVERNMENT IN NEW ENGLAND

by: Roger Hoeh

My view of rural government is simply that, like government anywhere, it must change as new needs and demands become perceived and understood. Such change may be possible within the existing limits of state law or it may require new laws, new definitions and the re-assignment of political functions and responsibilities.

I plan to focus my remarks on how governmental change occurs and from this perspective discuss rural government with specific reference to the situation in New Hampshire. Hopefully some barriers to and opportunities for adjustment will emerge.

The process of governmental change is viewed by Professor Andrew Nuquist of Vermont as being one provoked by change in living conditions paralleled by an increase in the costs of government. He has written:

> Each service has become more necessary and more expensive, and the taxpayers have had to bear the growing burdens which have resulted. Today many towns have too small a population to support satisfactory government services. To answer the demands of their citizens they have been forced to ask for help from the state, and indirectly, national governments.1/

According to this view, the price of obtaining assistance from other levels of government is local freedom of action. On the surface, this is a simple pattern -- that of one government turning to another for help in coming to grips with a specific problem. However, a closer look reveals a more complex system.

First, the problem must be recognized as such at the local level and the dimensions of the problem must appear to be too great for the town to solve by itself. Secondly, the state government must view the problem in similar light and, mindful of the larger constituency it serves, it must generalize the problem. Finally, a form of assistance must be developed which both parties agree will adequately deal with the problem.

If strings are to be attached to the assistance provided, those strings become part of the local government's evaluation of the problem. A town may think it has a sewage problem, but when federal and state aid requirements are introduced as part of the proposed solution, the problem may be considered less pressing.

To summarize briefly, the local problem must be seen as a problem locally. Then it must be seen as a problem by the state government or, increasingly, by the federal government. Finally, the assistance program developed to deal with the problem must be acceptable, or at least tolerable, to both parties concerned. Only then does change in the form and function of government occur.

1/ Andrew Nuquist, Town Government in Vermont (Burlington: Government Research Center, University of Vermont, 1964), p.231.

This pattern may also be reversed. That is, the state may recognize a problem which can be solved through the concerted effort of local officials. If local governments see the problem in the same light, then a common attack can be launched -- the state providing some of the funds and technical assistance needed and the local government providing the rest. If localities don't see the problem or don't agree with the state's view, then some form of coercion, positive or negative, might be necessary. (Incidently, if "state" is substituted for "local" and "federal" for "state" in the above examples, the pattern can be used to describe much of the federal-state relationship).

This pattern -- whether depicting a flow of action from local to state levels or the reverse -- quite accurately outlines the process of governmental change as it has occurred particularly since World War II. Conversely, this pattern can also be used to explain why governmental change has not occurred, especially in rural areas. As this pattern suggests, the key to governmental change is the recognition of change in the larger society, the understanding of new problems and opportunities, by local and state governmental officials and decision-makers.

To view rural government from this perspective is not an encouraging task. Changes have occurred in the larger society. The trends which led to what Mumford calls "implosion" or the concentration of people in a small number of large cities have been reversed. Central city has exploded, scattering some of its people into the uniformity of suburbia and leaving others in the ghetto. New highways, more automobiles, more people with more money -- these are some of the symptoms as well as the causes of change to which governments must adjust.

These changes have transformed many rural areas into urban areas and out of sheer necessity their governments have changes as well. However, in those remaining rural areas, the form and function of local government are largely unchanged. Both the problems and the opportunities produced by changes in society are not reflected in the local government and the role rural areas play in the context of an urban, mobile and affluent country is largely unrecognized.

To illustrate, recently at a seminar in a rural New Hampshire county, I presented some regional amangements which small towns could make under state law in order to provide basic services more economically. Towns can join to form regional planning commissions. They can share the costs and the services of a town manager and other technically-trained personnel. In the discussion which followed it was obvious that much of my presentation was superfluous. One of the towns in the county has some five fire precincts, with varying amounts of equipment and personnel. Some of these cooperate with other precincts in the town; others cooperate only with the neighboring town. Few of the towns in the county had established planning boards. Even fewer had zoning or some other form of land use regulation -- this despite dramatic increases in new home construction and vacation businesses in the area.

Obviously, the need for a town-wide fire protection system and for land use planning and regulation -- even on a town basis -- had not been recognized. Powers available to local governments through state enabling legislation had not been adopted. While public administrators and political scientists are busy design-

ing new governmental arrangements to deal with modern problems, while they are assuming the death of the town as a unit of government residents of rural areas have yet to give the town life. It is not simply that the town as a unit of government has failed, but that in many respects it does not exist.

In New Hampshire there are 186 towns with populations of less than 2,500 (the 1960 Census definition of rural).1/ Of these, 147 have some kind of planning board; 73 have some form of zoning; 59 have adopted land subdivision controls and 69 have building codes.

These figures are subject to debate -- but only because they may be too liberal. Many towns have adopted enabling legislation establishing planning boards; far fewer towns have appropriated funds for planning activities. Only 24 of these rural towns have completed or have underway a comprehensive planning program.

These figures also do not reflect the real ability of local officials to enforce land use regulations. They do not indicate the number of towns in which a zoning variance can be obtained as a matter of course.

Combined these rural towns of New Hampshire make up 6,956 square miles or approximately 77 percent of the state's total area and include more than 80 percent of the State's surface water area. They include resources of tremendous importance to the whole state, to its economy and to an environment the whole country enjoys.

In many of these areas, planning and land use regulation is not viewed as a necessary function of the local government. It may be that the community is so homogeneous in character that no one would think of selling land for inappropriate development or it may be that no one is concerned about visual pollution. Whatever the reason, a significant function of local government is not exercised and a great potential, often realized, for lasting harm to the state's natural attractions remains.

To a great extent the responsibility for making policy decisions concerning these attractions rests with small, part-time rural governments. A scattered 27 percent of the population is making decisions concerning almost 80 percent of the state's land and waters.

At the same time, the other element in dealing with change, the state government, has been equally lax in seeing that basic resource policies are adopted and implemented. It has granted planning and land use powers to the local governments, but for the most part, it has not provided the kind of support, incentive aid and technical assistance necessary to exercise those powers. State government has given local governments the option of planning and regulating their resources or adopting a laissez-faire attitude. Local governments have the benefit of such an option -- they have the choice of adjusting to a changing environment or ignoring it -- but they do not have the benefits of financial and technical assistance necessary to make sure that the

1/ Unincorporated areas and towns located within the White Mountain National Forest are not included in this tabulation. Population figures cited were reported in the 1960 census. Tabulations of local planning activity are current.

correct choice is made. In short, enabling legislation has not proved to be enough.

In rural areas particularly the state government has not asserted its powers where local government has been ineffective. The state has not bridged rural and urban governments and provided direction for decisions made locally. It has not related state policies to the form and function of local units.

To the extent that the state has become active in rural areas it has done so not according to some comprehensive and coordinated program of policy, but piece by piece as each new problem becomes a new crisis. Professor Nuquist's pattern of a local problem provoking a limited state response continues to apply.

For example, in the last session of the General Court, legislation was adopted which requires the approval of the state's water pollution agency before septic tanks and other private waste disposal units located within 1,000 feet of a surface water body are installed or altered.

The problem which provoked this response was serious pollution in some of the state's larger lakes, caused to a great extent by an unregulated boom in vacation home construction. Local governments in the areas concerned had the power to avoid the problem by adopting suitable land use codes and regulations and by applying them on a uniform basis. Wide-spread perception of the problem, even of the possibility of the problem, and inter-governmental cooperation at the local level could have been combined to prohibit pollution.

Such actions were not taken locally. A crisis was created, citizen protests were voiced and a limited state response was developed, resulting in additional state responsibility and a corresponding expansion of the state bureaucracy. But the forces which helped to create this crisis are still active and to a great extent their impact is still not widely understood.

The state government is well situated to perceive developments and trends. Its resources and its powers are greater than those of local governments. Its jurisdiction is far broader. However, in New Hampshire, the state government's perception of local needs and problems has been colored by fiscal realities. Reportedly, New Hampshire ranks fiftieth in the nation in aid to municipalities. State personnel to assist local officials is also in short supply. Chief state revenue sources are narrow and inequitable. The tax structure is geared not to modern indicators of the state's wealth but to the indicators of a by-gone agricultural era.

Thus, the state fails to perceive the problems of rural areas because of its continued dependence on an archaic and inadequate revenue base. Its perception of problems is limited by its financial ability to assist in solving those problems. At the same time, the local government's perception of problems is limited on the one hand by its inability to recognize problems as problems and on the other hand by the absence of financial and technical assistance and over-all policy objectives.

As I have suggested, a local government's perception of a problem may well depend on how easy or difficult it views the solution to that problem to be. An urban government usually has the technical staff and, to some extent, the financial resources both to recognize problems and to deal effectively with them before a crisis occurs. A rural government -- in many respects a part-time government -- lacks both of these resources and the state government has for the most part failed to provide them either directly to the local government or indirectly by assuming responsibility for previously local functions.

The meaning of all this is quite clear -- rural governments have more responsibilities than they can adequately meet, more functions than they are willing to perform and far less assistance than they need. If the town unit of government is to continue to be responsible for carrying out such important functions as land use planning and regulation, public facilities management and limited economic development, it must receive direction and assistance from appropriate state agencies and adequately-funded state programs.

Quite possibly increased state assistance could be provided on a comprehensive and coordinated basis while maintaining the existing local units. State assistance programs could provide the regional outlook so necessary in implementing much of what local units do not or can not do individually. Such an imposition of a regional outlook within a framework of many small local units seems more feasible politically than the other alternative, often suggested, of abolishing local units and devising some other, more rational arrangement.

Both alternatives -- expanded and coordinated state assistance to local units or the establishment of new units of government -- require the development of minimum performance standards within the context of state-wide policies. For example, in the area of land use planning and regulation, the local option to plan or not to plan must be replaced by a legal requirement to plan. Similar requirements should replace local options to adopt zoning and subdivision regulations.

The state should not have to write local ordinances or enforce their provisions, but the state should not allow the chaotic and often dangerous misuse of its natural attractions. Since many local units do not see land mismanagement as a problem, then the state must understand and deal with the problem itself. Twenty-seven percent of the population just cannot be responsible for making (or for not making) decisions affecting the use of more than seventy percent of the state's land and water resources.

In conclusion, we must answer this question. Is the pattern which has characterized governmental change in recent times to continue or are changes, however subtle, needed in the pattern itself? In a word, yes, the pattern must be changed and, in fact, it is already changing. A separate aid program for every problem has not proved to be a feasible approach. Enabling legislation without some direction and assistance is not enough. State governments cannot afford to wait for local governments to discover problems and then seek assistance. The old pattern is slow, its perspective is narrow and its consequences are often varied and fragmented, creating more problems.

Perhaps the clue to a new pattern of change is the "model cities" program recently adopted somewhat timidly by Congress to develop a coordinated attack on the problems of central cities. Thought might be given to applying similar methods to the problems of the countryside. Now more than ever before, rural areas are important not only to their inhabitants, but to all who seek relief from the mechanistic pressure of suburb and city.

It is not clear how change will occur or what kind of governmental arrangements are best suited to the world of today and tomorrow. But the time when state and local governments could muddle through from crisis to crisis, changing only when provoked, is past. Rural areas, like cities, are too important to be neglected and misused. Each is too important to be considered without reference to the other. To remove the barriers to needed governmental adjustment and to exploit the opportunities of a changing environment, state governments must assume more and more of the functions which rural governments do not and often should not perform. State governments must also provide the direction, based on comprehensive state policies, for rural governments to follow.