Bill as Introduced

CACR 32 – AS INTRODUCED

2000 SESSION

00-2367
04/09

CONSTITUTIONAL AMENDMENT
CONCURRENT RESOLUTION ***32***

RELATING TO: the size of the general court.

PROVIDING THAT: provisions mandating the size of the general court shall be removed from the constitution and shall be established by statute.

SPONSORS: Rep. Buckley, Hills 44; Rep. Wallin, Merr 15; Rep. Copenhaver, Graf 10; Rep. Konys, Hills 33; Rep. M. Fuller Clark, Rock 36; Sen. Wheeler, Dist 21; Sen. Trombly, Dist 7; Rep. J. King, Dist 18

COMMITTEE: Legislative Administration

ANALYSIS

This constitutional amendment-concurrent resolution provides that the size of the general court shall be determined by statute and that provisions mandating the size of the general court shall be removed from the constitution.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CACR 32 - AS INTRODUCED

00-2367
04/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: the size of the general court.

PROVIDING THAT: provisions mandating the size of the general court shall be removed from the constitution and shall be established by statute.

Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:

I. That article 9 of the second part of the constitution be amended to read as follows:

[Art.] 9 [Representatives Elected Every Second Year; Apportionment of Representatives.] There shall be in the legislature of this state a house of representatives, biennially elected and founded on principles of equality, and representation therein shall be as equal as circumstances will admit. The whole number of representatives [~~to~~] ***shall*** be chosen from the towns, wards, places, and representative districts thereof established hereunder, [~~shall be not less than three hundred seventy-five or more than four hundred~~] ***and the house of representatives shall have the power to provide by statute the whole number of representatives to be so chosen***. As soon as possible after the convening of the next regular session of the legislature, and at the session in 1971, and every ten years thereafter, the legislature shall make an apportionment of representatives according to the last general census of the inhabitants of the state taken by authority of the United States or of this state. In making such apportionment, no town, ward or place shall be divided nor the boundaries thereof altered.

II. That article 25 of the second part of the constitution be amended to read as follows:

[Art.] 25 [Senate, How Constituted.] The senate shall [~~consist of twenty four members~~] ***have the power to provide by statute the whole number of senators to be chosen in accordance with this constitution.***

II. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 2000.

III. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 2000 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 2000 session of the general court shall be approved.

IV. That the wording of the question put to the qualified voters shall be:

Are you in favor of amending the Constitution to provide that the size of the House of Representatives and the Senate shall be determined by statute and that the provisions mandating the size of the legislature shall be removed from the Constitution?

V. That the secretary of state shall print the question to be submitted on a separate ballot or on the same ballot with other constitutional questions. The ballot containing the question shall include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made in either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words "Questions Relating to Constitutional Amendments proposed by the 2000 General Court" shall be printed in bold type at the top of the ballot.

VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # CACR 32 Date 2/9/00

Committee Legislative Administration

**** Please Print All Information ****

Name	Address	Phone	Representing	(check one) Pro	Con
Sen. Katie Wheeler	Durham		Sen. District 21	✓	

Hearing Minutes

HOUSE COMMITTEE ON LEGISLATIVE ADMINISTRATION

PUBLIC HEARING ON CACR 32

BILL TITLE: **relating to the size of the general court. Providing that provisions mandating the size of the general court shall be removed from the constitution and shall be established by statute.**

DATE: **February 9, 2000**

LOB ROOM: 203 **Time Public Hearing Called to Order:** 1:32 pm

Time Adjourned: 2:15 pm

(please circle if present)

Committee Members: Reps. Dyer, G. Chandler, Lozeau, Pappas, Whalley, R. Nowe, Carson, Horton, Calawa, Thomas, McCarty, Tholl, M. Nowe, Rabideau, Burling, DePecol, M. Pelletier, Nordgren, Copenhaver, B. Hall, Lundborn and Mears.

Bill Sponsors: Reps. Buckley, Konys, Wallin, M. Clark, Copenhaver, J. King; Sens. Wheeler, Trombly

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

In the absence of **Chairman Dyer**, hearing called to order by **Vice Chairman John Tholl**. First speaker was sponsor, **Rep. Raymond Buckley,** who spoke in support of the bill and stated that we have only had a 400-member House for 60 years. He felt that the expense of a 400 person legislature might be excessive and that the bill did not set forth a specific number of legislators, but was merely a means to begin discussion.

Rep. Calawa asked Rep. Buckley why we did not put a number on this CACR so that the people would have a more specific idea what we are talking about. Rep. Buckley said that this was not the time.

Rep. Whalley said he had questions on Line 7 and Line 8 and asked if there would be an amendment.

Rep. McCarty asked if this were a partisan bill and Rep. Buckley replied in the negative and had no further questions.

Rep. Wallin, sponsor, said House evolved from 50 members in 1964 (Baker vs Carr). Couldn't do business as usual and it had to be districted. She felt that the size of the legislature should be tied to the census and then evenly divided.

Rep. Calawa said that he thought the legislature was evenly districted into roughly 2,700 per district. Rep. Wallin asked in towns such as Londonderry with many representatives, which 2,700 people do you represent?

Rep. Nowe asked about Article 26A of the Constitution – asked if this article would affect the size of the senate.

Rep. Wallin said it would not have to be changed.

Rep. Whalley: What is the benefit of reducing the size of the House.

Rep. Wallin replied that she felt members would be more accountable to the people and newspapers would be more likely to list how representatives voted if there were fewer of them. She also claimed that if there were fewer representatives, maybe we could pay them.

Rep. Whalley: Do you think the senators are more accountable and that their voting records are printed more in the paper?

Rep. Wallin: Yes.

Rep. Tholl said that his record is published and if you educe the number of representatives, the cost of campaigning would go up. The cost now is only about $600.

Rep. Wallin claimed that if they cannot afford to run for office, they probably can't afford to serve.

Rep. Buckley added that representatives in cities like Manchester would not really be affected because they would still be representing the same number of people.

Rep. Nowe asked Rep. Wallin if she didn't feel that the larger the House, isn't the public better served?

Rep. Wallin said "No", that the House was really run by 25-30 people anyway.

Rep. Calawa stated that he liked the fact that it is a citizen legislature and the cost to run is low.

Hearing adjourned at 2:15 p.m.

Respectfully submitted,

Marc P. Pappas, Clerk

Not speaking, but supporting resolution:

Senator Katie Wheeler, District 21

Voting Sheets

HOUSE COMMITTEE ON LEGISLATIVE ADMINISTRATION

EXECUTIVE SESSION on CACR 32

BILL TITLE: relating to the size of the general court. Providing that provisions mandating the size of the general court shall be removed from the constitution and shall be established by statute.

DATE: 3/22/00

LOB ROOM: ~~205~~ 203

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Burling

Seconded by Rep. Troll

Vote: 12 -1 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.) No

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Marc P. Pappas, Clerk

OFFICE OF THE HOUSE CLERK

2000 SESSION

LEGISLATIVE ADMINISTRATION

Bill #: CACR 32 **Title:** relating to the size of the general court. Providing that provisions mandating the size of the general court shall be removed from the constitution and shall be established by statute.

PH Date: 2 / 9 / 00 **Exec Session Date:** 3 / 22 / 00

Motion: ITL **Amendment #:**

MEMBER	YEAS	NAYS
Dyer, Merton S, Chairman	✓	
Chandler, Gene G	✓	
Lozeau, Donnalee	✓	
Whalley, Michael D	✓	
Nowe, Ronald J	✓	
Carson, Gregory G		
Horton, Lynn C	✓	
Calawa, Leon		
Thomas, John H	✓	
McCarty, Winston H		
Tholl, John E	✓	
Nowe, Mary Lou	✓	
Pappas, Marc P		
Rabideau, Marie N		
Burling, Peter H	✓	
DePecol, Benjamin J		
Pelletier, Marsha L		
Nordgren, Sharon L	✓	
Copenhaver, Marion L		✓
Hall, Betty B	✓	
Lundborn, Raymond A		
Mears, Edgar H		
	12-1	
TOTAL VOTE:		

Printed: 1/19/2000

Committee Report

COMMITTEE REPORT

COMMITTEE: **Legislative Administration**

BILL NUMBER: **CACR 32**

TITLE: relating to the size of the general court. Providing that provisions mandating the size of the general court shall be removed from the constitution and shall be established by statute.

DATE: March 22, 2000 CONSENT CALENDAR YES ☐ NO ☒

☐ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☒ INEXPEDIENT TO LEGISLATE

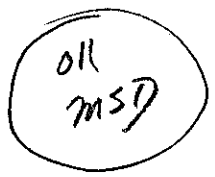
☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

The committee felt that no compelling arguments for changing the size of the legislature were presented at the hearing. Removal from the constitution and subject to legislative action could make the House and Senate subject to change more frequently and does not address the increase or decrease the membership of the legislature. The committee felt the present system apportionment of representatives according to the last general census is important, but if a change in size were to occur, the general public should have a say in what that ratio should be, not left to the legislature. The general public seems to be very aware of who represents them, and in 1984 defeated a resolution from the Constitutional Convention to reduce the size of the house and increase the ratio of voters to their representatives.

Vote 12-1.



Rep. Ronald J. Nowe
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

Legislative Administration

CACR 32, relating to the size of the general court. Providing that provisions mandating the size of the general court shall be removed from the constitution and shall be established by statute. INEXPEDIENT TO LEGISLATE

Rep. Ronald J. Nowe for Legislative Administration: The committee felt that no compelling arguments for changing the size of the legislature were presented at the hearing. Removal from the constitution and subject to legislative action could make the House and Senate subject to change more frequently and does not address the increase or decrease the membership of the legislature. The committee felt the present system apportionment of representatives according to the last general census is important, but if a change in size were to occur, the general public should have a say in what that ratio should be, not left to the legislature. The general public seems to be very aware of who represents them, and in 1984 defeated a resolution from the Constitutional Convention to reduce the size of the house and increase the ratio of voters to their representatives. Vote 12-1.