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The Deconstruction of a Citizen Legislature

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One of the more controversial reforms offered by House Republican Speaker Nominee Bill O'Brien are new rules that would implement a major reorganization of the Committee structure and schedule in the NH House of Representatives. The consequence of these changes could radically affect the quality of legislation, the make-up of future House membership and would increase the influence of lobbyists and special interest groups.

The incoming Speaker proposes to greatly increase the number of committees, thereby greatly decreasing the number of members on each committee, and to have committees conduct business and public hearings at night and on Saturdays. Speaker-nominee O'Brien's stated motives are laudable: to make committees more specialized in their purview, to share the committee workload, and to make the legislative process more accessible to the public. However, given the unique nature of the NH House, these well-intended reforms could result in the deconstruction of our Citizen Legislature.

The New Hampshire legislature or General Court consists of a Senate, with 24 members and a House, with 400 members, making it the largest State legislative body in the United States and the third largest in the English speaking world. Each member represents about 3,100 citizens, making the NH House the most representative deliberative body in the world and unparalleled in the history of democracy. But what makes the NH House truly special is that its members are virtually unpaid, earning only \$100 per year. NH voters elect these representatives not as paid, professional politicians, but as volunteers from among their own populace and their own neighborhoods.

This truly citizen legislature, includes men and women, students and seniors, professionals and homemakers, and working people and retirees, from every background and walk of life. This cross-section of citizens sit and deliberate almost 1000 bills per annual session on about 20 standing committees, each comprised of about 20 members. Grouped by their background, interests, and willingness to learn; each committee considers relevant legislation with its self-acquired expertise—heavy on common sense and very lean on professional staff assistance. Public input is received in a variety of ways: in person, at home, through written or personal testimony, by telephone, fax and now most often by email.

Since the Senate has a limited membership and time to deal with the annual flood of bills, it has historically fallen on these 20-member House committees to tackle the complex issues, divide the workload and to correct defects and inconsistencies in proposed legislation. The results have been remarkable. NH statutes are considered by legal scholars, ideology aside, to be among the most thorough and well written collective bodies of state law in the nation, on par with states with professional legislators and full-time staff.

Speaker O'Brien's proposed reforms threaten to upset the carefully balanced committee structure of this Citizen body. A structure that has evolved over almost two and half centuries and has taken its current form, mostly over the past 50 years, on the shoulders of succeeding *Republican* House Speakers. By significantly increasing the number of Committees and shrinking their membership, the combined expertise and thoroughness of each committee is greatly reduced. This could result in the passage of legislation that is less carefully crafted and studied, especially with a super-majority in place.

Additionally, lobbyist and special interest groups, who have traditionally focused their attentions on the much smaller Senate, would find smaller and more specialized House committees easier to influence.

More importantly, with about one-third of the House membership turning over every two years (41% this election), the re-elected members on each Committee are an essential repository of knowledge, institutional memory and bureaucratic oversight that is passed on to new members—Republican and Democrats alike. The current committee structure provides the necessary educational backdrop House members, which precedes the inevitable ideologically-based legislative battles.

Finally, the extension of the legislative workload to evenings and Saturdays will put additional time demands on the volunteer membership of the NH House, and very likely will have a chilling effect on the number of and societal breadth of future candidates willing to run for office. Evening meetings will create an irreconcilable conflict for the many legislators, who also serve on their city and town boards and commissions, because all NH municipalities conduct their business on weekday nights. More committees and extended committee schedules will also increase bureaucratic and staffing costs.

Hopefully, current House members of both parties will reach across the aisle, and former members will reach across time, to implore the incoming House leadership to reconsider a wide-sweeping reform of the House Committee structure. The result could be an unintended deconstruction of New Hampshire's very special, unique and fragilely balanced Citizen Legislature.