

Urgent Steps to Save HB648

(From our Bury Northern Pass Friends)

Immediate Action Item: Save 648—contact Senators between now and Tuesday (see below).

Action Item June 1: Fill the 90 seats for Senate observers in Concord with Orange.

Dear Opposition Friends,

Even though this is a holiday weekend and many of us have guests and plans, we must find the time to rally again and save HB 648. This is our last chance this session. The full Senate is expected to consider the recommendation of the Senate Judiciary Committee to re-refer HB 648 on **Wednesday, June 1 at 10:00 am. Re-referring will surely kill the bill for this year.** All of us need to communicate with all 24 Senators on the need to support the constitutional rights of individual property owners in NH between now and Wednesday, the sooner the better. We must garner bi-partisan support. No party owns the issue at stake: our constitutional rights.

So show up in Concord on Wednesday, June 1st at 10:00 am at the Senate Gallery. We need to fill 90 seats! Wear orange.

The focus of your communication must be on defending the NH Constitution and property rights now from the eminent domain threat that Northern Pass presents. NP clearly drives 648, but the debate over the pros and cons of this particular project must not distract from a unified call to defend property rights from any such project. We have a number of other legitimate concerns about a host of issues but those must go on the back burner until 648 comes before the Senate on July 1. A thoughtful but assertive tone may work best, along with a laser focus on why we need HB 648 now to protect us from the imminent threat of eminent domain that NP poses.

Walk, run, and dance--however you reach Senators will work. Send emails, snail mail (better run on that one), make phone calls, if you are near Concord on Tuesday, stop by and hand deliver your letters. Try to make plans to attend on June 1. We need 90. And THANK YOU once again!

A background timeline:

- In 2005, the U. S. Supreme Court handed down the infamous Kelo decision that opened the door for the taking of private land by corporations.
- In response, 42 states amended their constitutions, including NH.

- NH's response was first to draft Article 12-A to the Constitution, which the NH Senate voted 24-0 to recommend to the voters in 2006.
- In November 2006, by an 85% to 15% margin, NH voters adopted this amendment to the State Constitution (Article 12-A): *No part of a person's property shall be taken by eminent domain and transferred, directly or indirectly, to another person if the taking is for the purpose of private development or other private use of the property.*
- In fall 2011, the first big challenge to 12-A emerged: Northern Pass, a new player on the utilities field (participant funded). NP made it clear that it would take advantage of a loophole in the law to use eminent domain to take private land from NH citizens. Property owners were told they had better go along or their land would be seized using the police power of the state. Property values and sales have already tanked as a result; NH citizens are being held hostage and twisting in the wind while NP goes down the long, slow permitting route. (NP doesn't even have an EIS contractor yet; and it will have to re-open scoping for any new Coos or other route.)
- To close the loophole and protect property rights now, in a bipartisan and overwhelmingly positive vote of 317-51, the NH House passed HB 648 and sent it to the Senate last month.
- The bill is currently in the NH Senate and must be voted upon on June 1. This is the last chance this year to pass 648.

Defend the NH Constitution and property rights now.

No eminent domain for private corporations and private optional projects.

All property owners in NH are under threat of eminent domain action by NP at this very moment. Close the loophole in NH law now.

12-A and HB 648 have seen historic bi-partisan majority votes. The people's mandate is clear. Complete this work on June 1.

Send a clear message to private developers now.

NH State Senate contact list:

http://www.gencourt.state.nh.us/Senate/members/senate_roster.aspx