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CONTACT**

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Anne Saunders
603.856.8337 x2

Community Leaders Urge Senate to Reject Constitutional Amendment on Taxation

CONCORD – Leaders from communities across the state presented a joint letter to the Senate today, urging the body to vote down a constitutional amendment, CACR 13, that would prohibit any new taxes on a person’s income.

“New Hampshire voters elect their fellow citizens to work on their behalf in Concord and have always held them accountable. We shouldn’t change the constitution to prevent legislators from exercising their judgment and representing their constituents,” said Kimon Zachos, a signer of the letter who previously served as Deputy Speaker of the House.

The signers identify several problems with the amendment.

- It seeks to fix a problem that doesn’t exist given that neither the governor nor the legislature has seriously considered an income tax in recent years.
- It would lead to prolonged legal wrangling in the courts over definitions of words like “new” and “income.”
- It would deny future generations the right to make decisions about how best to meet the needs of the state and to hold their elected officials accountable.
- It would freeze the state’s tax system in place, making it hard to reduce dependence on property or business taxes.

“From a legal standpoint, this wording is a lot more problematic than it appears. It will put the courts in the position of setting our tax policy instead of our legislature,” said Bradford E. Cook, a shareholder at the law firm of Sheehan Phinney Bass + Green and another of the letter’s signers.

“Changes to New Hampshire’s most basic and foundational document should be rare and demonstrate a clear need. CACR 13 does not pass this test,” the letter states.