

SENATE SPECIAL COMMITTEE ON REDISTRICTING

Merrimack County Community Input Session

September 14, 2021

Meeting Minutes

Members of the Senate Committee Present: Senator James Gray, Senator Sharon Carson, Senator Donna Soucy, Senator Rebecca Perkins Kwoka

Members of the Senate Committee Absent: Senator Regina Birdsell

Opening Summary:

Senator Gray opened the meeting for the Senate. Representative Barbara Griffin opened it for the House and had all Legislators introduce themselves. Present for the House Committee: Rep. Matt Wilhelm, Rep. Ross Berry, Rep. Bob Lynn, Rep. Len Turcotte, Rep. Carol McGuire, Rep. Paul Bergeron, Rep. Marjorie Smith. Representative Griffin explained that the meeting would be live streamed and gave the instructions on how to locate information on the redistricting process on the General Court Website. There will be a website for the Special Committee on Redistricting which will have the links to all recordings and contacts as well as district maps and an option for public input.

Representative Griffin described the process of redistricting every ten years after the Federal Census population data has been reported. That data is taken and used to create districts for all levels of government in regards to representation. In NH, the Constitution states that the responsibility of creating those districts is that of the Legislature.

The districts that will be drawn are:

- Districts for US House of Representatives,
- Executive Council,
- State Senate, and
- State House of Representatives.
- Districts for County offices that are elected by district and
- Delegates to the State Party Convention

Handouts were provided showing the 2020 Census populations of the towns in Merrimack County .

Testimony:

Alan McDonald - New London He zoomed into the last House Redistricting Committee Meeting and was disappointed. He felt there was no statement of shared purpose, no sense of bipartisanship, and no detailed outline of process. Leadership seemed dismissive of having public meetings after the proposed maps have been drawn. He believes that is the most critical part of the process and it should be done with Zoom capability. He witnessed a demonstration of the mapping software and does not see a reason why multiple maps could not be made available for the public to view well in advance of November. The citizens of NH deserve nothing less than total transparency.

Janet Ward – She believes that gerrymandering is a tool that has been used by political parties to ensure their success in elections. It allows those drawing voting district lines to make them favor their parties candidates rather than drawing reasonable, logical lines that recognize communities of interest. She believes that they convince themselves that gerrymandering is bringing about a greater good. She read a quote by journalist Sidney Harris “once we assuage our consciences by calling something a necessary evil, it begins to look more necessary and less evil.” She continued by stating that gerrymandering is wrong and it is the duty of the special committee to draw fair lines and that citizens across the state are closely watching the critical work of this committee.

Representative Smith commented that she hopes to hear suggestions from the citizens of Merrimack County as to how the maps should be drawn.

Nancy Maracio - New London –Ms. Maracio stated that in 2010, of 152 communities eligible for their own representative, 62 were not assigned theirs. Although New London had 4,397 residents in 2010 when the required number was 3,291, it was not assigned its own district or its own representative. Now in 2021 every community with a population of 3,444 or higher is constitutionally guaranteed its own district and representative. New London’s population has risen to 4,400. Model Fair Maps have been drawn to show that all but 10 qualified towns can, by the numbers, be assigned their district and exclusive State representative. She urged the Committee to redistrict New London and other eligible towns so that they are assigned the representation they are legally due. Additionally, she asked the Committee to pay quality attention to floterials, assuring more closeness and shared interests of their towns and urged non-partisan decision making, assuring that each voter that their vote counts equally.

Former Senator Jeanne Dietsch – Senator Dietsch testified that Article 11 of the New Hampshire Constitution states, “every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election.” She noted that some people interpret that sentence to only mean that every inhabitant of age may place their vote in a ballot box, but in actuality the weight of that vote can be

enhanced or diminished by the actions of this committee. Senator Dietsch continued by stating, an equal right to vote depends upon this committee's diligence in dividing districts as fairly as possible. An equal right to vote means that a party with fewer than 3 in 10 voters as members does not dominate every legislative body, passing the most extreme budget in 50 years, containing policies that most of the people of New Hampshire strongly disagree with. An equal right to vote means that the desire by most of the people of New Hampshire to conserve energy, minimize fossil fuels and set clean-air standards cannot be upheld in vetoes. An equal right to vote means that the support of most of the people of New Hampshire for educating children and young adults rather than giving a fourth tax cut to businesses and cutting the interest and dividend tax for the wealthy will result in the politicians who support such actions being turned out on their noses. She ended her comments by stating that this committee has the responsibility to create districts that result in the will of the people being reflected in the actions of the legislature, executive council and Congressional districts

Liz Tentarelli – Newbury NH She has heard from people she speaks with of two main concerns: that the process of drawing the maps be done with transparency and public input, and that the criteria the committees will use be clearly stated. Those that tried to follow the process in 2011 realize how important both of these are. There are some questions she hopes the committees will address publicly in the coming weeks: Obviously they will adhere to the federal and state constitutions about equal representation, but have they decided what will be an acceptable deviation from the ideal numbers for each of the four plans and when will they make that public? Since 2006, the NH Constitution requires that towns that are large enough to have their own representative seat be allotted its own district seat. (This year that is 3,444 residents.) Will their committee work to make that happen, and where does adhering to that constitutional requirement fall in the list of priorities? "Communities of interest" is a broad term, but many are wondering which communities of interest the committee believes are important considerations when determining which towns should be grouped together. Have they set any priorities, such as keeping regional school districts in the same senate district, or grouping neighboring towns that share common problems such as water quality issues or natural resources conservation or public health issues? If not, when do they expect to set those priorities and will they make them public on the committee's website? Merrimack county is currently divided among six senate districts. The towns in our county range from small ones (like her little town of Newbury) in the west to the cities of Concord and Franklin. Forming state senate districts is about the numbers, of course, but what other demographic aspects will they be considering? Finally, she suggested that until draft maps are drawn and made available to the public, it is an exercise in abstraction to discuss what makes sense for any particular town or city. She believes there should be another round of

these county input sessions where the maps will be shown so that specific comments from the municipal officials and the public can be heard for their consideration.

John Rabbe - New London His basic comment is that everybody deserves an even chance to vote and have their voice heard. We live in an age with fierce partisan contention. His suggestion for the committee is to create an independent commission to handle redistricting. He believes this will ensure an impartial transparent process which will increase public trust in NH elections. The alternative in his view is more gerrymandering and more accusations of fraud.

David Andrews – Chichester – He works for the redistrictingdatahub.org which is a non-partisan group that hosts redistricting data nationally. He also volunteers with Open Democracy. Mr. Andrews believes that redistricting is the foundation of a democracy and if we break that foundation with gerrymandering it can cripple that democracy. Congressionally, he suggests that they try to keep the districts as they are. In general, they are considered to be fair and well put together. The Executive Council maps should be drastically shifted and #3 in particular. He believes that there should be a regional approach to the Executive Council in that New Hampshire has distinct regions, the North Country, the Lakes Region, Western NH, the Sea Coast, Central and Southern NH. This would give a better representation of all specific areas. He commented that communities of interest are very important and should be preserved as much as possible. For example, SAU's, public health regions, etc. The Senate map is not a very good map in that there are a lot of different sprawling districts. He suggested that they consider compactness as criteria when drawing those districts. For the House maps, he explained the methodology of calculating the floterial districts. In 2000, they were drawn using the aggregate method which is the leftover population of two districts. In 2002, the Supreme Court ruled that aggregate was not a valid method to use in creating floterial districts and that it did not stand up to the one person one vote rule. A floterial district should consist of around the same number of people from each district. The court put together the component method which assigns the ideal population to the non-floterial districts and then makes sure the leftover population align within a certain deviation. He believes the component method limits the amount of districts that can use a floterial and gave Hudson and Pelham as an example. In 2006, the NH Constitution changed to give each town with sufficient population their own district, he thinks it is worth it to look into different methodologies in calculating floterial districts. His alternative component method takes into account the deviations of the non-floterial Reps. He explained that if the ideal population is 3,000 people and there was a district with 4,000 people and one with 5,000 people, the component method would take the overflow of 1,000 and the overflow of 2,000 to make a floterial which would not be equal. His alternative component method allows flexibility in splitting up the numbers using a certain

deviation to make the floterial district uniform. He gave the example of Rep. McGuire's floterial district, the alternative component method would allow all three towns to have their own Representatives and the same floterial. The best possible House map they could come up with had six constitutional violations for the current 2020 mapping, which is, towns that had sufficient population but did not get their own Rep. Using the alternative component method, the violations are reduced to two. He has sent a memo to the House Committee which explains this in more detail and he would be happy to come before the Committee again and go through those details.

Olivia Zink – Executive Director, Open Democracy – She believes that individuals deserve the chance for public comment after the maps are drawn. Additionally, the committee should publish the criteria they are using to draw the maps. She questioned whether the 2006 amendment will be followed, what communities of interest will be looked at. DOE and Open Democracy has created a tool that can overlay the school districts so that it is easy to see which maps cross school districts. A lot of communities share police and fire services and those should not be separated. Northfield and Tilton share a police department and that needs to be considered. Another issue that needs to be considered is time. The City of Franklin has to change their charter in order to change their ward lines and this cannot happen until 2022 which is after this committee has done their work. In instances like the city of Franklin it would be great if they could keep the city or all three wards together as much as possible. The City of Franklin's charter has not been amended since 1995, but now it is necessary due to population changes. She suggests getting input from leaders in those communities that need to change wards. As they look at the Executive Council maps it would be good to keep a criteria of compactness into account. Currently, in some towns, you have to drive several miles outside of the community to get to the next town. Ms. Zink added that the Congressional districts have pretty equal population and she would suggest keeping the existing maps. With the other maps they should consider what was done the last time when the districts were gerrymandered and start from scratch.

Rep. Kristina Schultz – Ward 9 – The main point she wants to recognize is that having a Bipartisan Commission is the right thing to do for the citizens of New Hampshire. She herself is a partisan democrat and would like to have all districts shaped to favor her party but she has to ask herself what is best for all Granite Staters. If redistricting is controlled by partisan interests that is not what is best for the state. Anything other than, independent, fair, honest, ethical and moral redistricting is not what is best for the state. She believes that the Executive Council districts are unfair, especially the district that Concord is in which is shaped like a dragon and was gerrymandered to neutralize democratic power. She does not believe they should have floterial districts. State Representative Districts

should only be represented by one person. Her district has about 4400 people and is pretty compact with a lot of renters and senior housing. Salem has 30,000 people and all the Representatives are at large. It is not fair for the people of Salem to not know who represents them. What is in the best interest of the voters is for them to have one representative, and to know that they have an equal voice. She agrees with the John from New London.

Rep. Dianne Schuett – Rep. Schuett requested that if the committee needs to join Pembroke with another town it be Allenstown. Historically that was the district and they share the same downtown, zip code and sewage processing plant. For the Executive Council district, she requests that they consider changing #2 to be joined with others that have things in common with Concord and is a more natural fit. – The Senate district is the same, they have more in common with Concord than they do with Strafford and Raymond. She added if it is not convenient to put them with Concord, perhaps some alignment with Bow and Dunbarton would work.

Victoria Graham – Hopkinton Ms. Graham stated that history has its eyes on what this committee will be doing in the coming weeks. Millennials really care, they are activists and they are paying attention. She urged the committee to take a long view of redistricting not a short view because what they do now will affect these same citizens years from now.

Meeting adjourned at 7:03