



Testimony on SB 241 and SB 254 - Executive Council

From Brian Beihl, Deputy Director, Open Democracy Action

Good Afternoon, Chairman Gray and Members of the Senate Election Law & Municipal Affairs Committee:

My name is Brian Beihl, and I'm deputy director of Open Democracy Action, a pro-voter, nonpartisan nonprofit based in Concord. As part of my duties, manage the Map-a-Thon Citizen Mapping project for the Map-a-Thon Coalition. I reside in Alton Bay, am a constituent of Senator Gray, and a former constituent of Sen. Ward when I lived in Antrim for 36 years.

First, I'd like to say a word about the Map-a-Thon Technical & Mapping Team. There was a time when redistricting maps could be created, and the public would know nothing about how or why it was created. No more. Due to the talents of our engineers, data analysts, and GIS mapping specialists, we know how and why maps are designed the way they are. So when we determine whether a map is competitive and fair for both parties, we know what we're talking about. And when we draw our own maps, we also tell you exactly how and why we draw our maps, and share the analysis with the public. And our understanding about how mapping should be done is rooted in redistricting best practices and communities of interest whenever possible. You have before you a report comparing the majority, minority and Map-a-Thon proposals.

Because the majority's SB 241 is identical it's 2010 predecessor, it carries the same baggage, too. As you know, four of the districts have been reasonably competitive, and the fifth, District 2, has been intentionally packed with Democratic leaning towns. As the Map-a-Thon showed the committee in September, this map could have been drawn far more competitively, more compactly, with lower deviations, and considering communities of interest – all of which are in the voters' best interests. SB 241 chooses to ignore these possibilities and redistricting best practices, and Open Democracy Action opposes this map.

While it is not as well-designed as the Map-a-Thon, the minority's SB 254 amendment #2022-0010s is a vastly superior map to SB 241. It has compact districts, respects 7 of 10 county lines, and as a result, does a better job of observing communities of interest. Its deviation is somewhat high at 6.32%, but Open Democracy Action supports this amendment.

I'd like to now turn to Governor Sununu's March 9, 2021 comments on New Hampshire Public Radio's The Exchange about the redistricting and specifically the Executive Council map.

NHPR's Question: "We received a lot of questions about redistricting. Here's one from Anne: Will you insist that the legislature's redistricting committee uses a fair and transparent process for drawing the maps and also says, will you reject their work if it turns out to be gerrymandered and or has not allowed for sufficient public comment?"

Sununu: "The answer is yes and yes. It has to be transparent. In our entire state, I think there are a couple of districts you could point out that are really funky. Everyone could point to Executive Council district two. And I agree. That's got to be fixed. It's a weird one. It's like a snake lying across the middle of the state. Very bizarre. But I think for the most part -- the House and the Senate districts -- I can't think of any that are really out of whack. We'll look at the population. The House has their process and they put this committee together and it has to be done in a bipartisan way and be transparent. I always say with redistricting, it's got to pass the smell test. You've got to be able to look at the map and say, OK, at first blush, this makes general sense. We're not, like, twisting around here and there. Whatever we do, it has to be fair, it has to be balanced."

Senators, SB 241 does not meet any of the Governor's criteria. It is not fair or balanced, and has to be fixed. I would add that the NH Senate map was really out of whack in the last redistricting cycle and SB 240 is far worse now. The smart, competitive choice that's in the best interests of the voters is the Map-a-Thon's map. But in lieu of that, we would urge you to move forward with the minority's SB 254 amendment, which would serve ALL the voters of New Hampshire.

Respectfully Submitted,

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