Committee Report

REGULAR CALENDAR

February 12, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on Election Law to

which was referred HB 121-FN-A,

AN ACT establishing an independent redistricting

commission. Having considered the same, report the

same with the following resolution: RESOLVED, that it

is INEXPEDIENT TO LEGISLATE.

Rep. Fenton Groen

FOR THE MAJORITY OF THE COMMITTEE

Original: House Clerk

MAJORITY COMMITTEE REPORT

Committee:	Election Law
Bill Number:	HB 121-FN-A
Title:	establishing an independent redistricting commission.
Date:	February 12, 2021
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill proposes to establish an Independent Redistricting Commission whose members would be appointed by elected state Senate and House leaders. The United States Constitution provides that individual state constitutions establish the laws governing their election process, including the establishment of voting districts for elected officers. The New Hampshire Constitution provides that our legislature has sole responsibility for the establishment of voting districts. The majority of the committee believes that to assign this responsibility would be contrary to the constitutions of New Hampshire and the United States which we have sworn to uphold and defend. Additionally, the appointment of commission members by elected leaders of the respective political parties continues to establish it as a political process but further insulated from the will of the NH voters. New Hampshire has the largest state legislative body in the United States. This makes us the most representative group, "commissioned of the people" if you will, to perform this constitutional responsibility. The majority of the committee recommends that this task be done as charged in our constitution and not be delegated to an appointed commission, contrary to our constitution.

Vote 11-9.

Rep. Fenton Groen FOR THE MAJORITY

Original: House Clerk

REGULAR CALENDAR

Election Law

HB 121-FN-A, establishing an independent redistricting commission. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Fenton Groen for the **Majority** of Election Law. This bill proposes to establish an Independent Redistricting Commission whose members would be appointed by elected state Senate and House leaders. The United States Constitution provides that individual state constitutions establish the laws governing their election process, including the establishment of voting districts for elected officers. The New Hampshire Constitution provides that our legislature has sole responsibility for the establishment of voting districts. The majority of the committee believes that to assign this responsibility would be contrary to the constitutions of New Hampshire and the United States which we have sworn to uphold and defend. Additionally, the appointment of commission members by elected leaders of the respective political parties continues to establish it as a political process but further insulated from the will of the NH voters. New Hampshire has the largest state legislative body in the United States. This makes us the most representative group, "commissioned of the people" if you will, to perform this constitutional responsibility. The majority of the committee recommends that this task be done as charged in our constitution and not be delegated to an appointed commission, contrary to our constitution. Vote 11-9.

Original: House Clerk

REGULAR CALENDAR

February 12, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Election Law to

which was referred HB 121-FN-A,

AN ACT establishing an independent redistricting

commission. Having considered the same, and being

unable to agree with the Majority, report with the

recommendation that the bill OUGHT TO PASS.

Rep. Connie Lane

FOR THE MINORITY OF THE COMMITTEE

Original: House Clerk

MINORITY COMMITTEE REPORT

Committee:	Election Law
Bill Number:	HB 121-FN-A
Title:	establishing an independent redistricting commission.
Date:	February 12, 2021
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

Gerrymandering is one of the major reasons why voters have lost faith in democracy and feel that This bill establishes an Independent Redistricting Commission that is their votes do not count. charged with conducting an open and transparent process enabling full public consideration of and comment upon the redistricting of county, state and federal electoral districts. It is intended to put the interest of voters, constituents, and communities of common interest ahead of purely political considerations. Historically, NH has conducted redistricting by establishing committees composed of members of the NH House and Senate. In NH, as in other states, the process of redistricting has become a bitterly contested, expensive, and litigated partisan battle. This bill creates a framework in statutory law, which will enable NH to have the next redistricting process conducted by an independent commission composed of 15 citizens, selected from a pool of citizens who fulfill the qualifications set out in the bill. The commission is independent, but the process continues to involve the Secretary of State and the elected leadership of both the NH House and Senate. The process leaves the ultimate decision to adopt the commission's plan to the legislature as the NH Constitution requires. It is akin to the commission established by the Governor to assist him with his constitutional duty to choose judges. This bill puts the interest of NH voters before our own as legislators seeking easy re-election.

Rep. Connie Lane FOR THE MINORITY

Original: House Clerk

REGULAR CALENDAR

Election Law

HB 121-FN-A, establishing an independent redistricting commission. OUGHT TO PASS.

Rep. Connie Lane for the Minority of Election Law. Gerrymandering is one of the major reasons why voters have lost faith in democracy and feel that their votes do not count. This bill establishes an Independent Redistricting Commission that is charged with conducting an open and transparent process enabling full public consideration of and comment upon the redistricting of county, state and federal electoral districts. It is intended to put the interest of voters, constituents, and communities of common interest ahead of purely political considerations. Historically, NH has conducted redistricting by establishing committees composed of members of the NH House and Senate. In NH, as in other states, the process of redistricting has become a bitterly contested, expensive, and litigated partisan battle. This bill creates a framework in statutory law, which will enable NH to have the next redistricting process conducted by an independent commission composed of 15 citizens, selected from a pool of citizens who fulfill the qualifications set out in the bill. The commission is independent, but the process continues to involve the Secretary of State and the elected leadership of both the NH House and Senate. The process leaves the ultimate decision to adopt the commission's plan to the legislature as the NH Constitution requires. It is akin to the commission established by the Governor to assist him with his constitutional duty to choose judges. This bill puts the interest of NH voters before our own as legislators seeking easy re-election.

Original: House Clerk

HB 121 Election Law Committee ITL Blurb

I move HB 121 inexpedient to legislate.

This bill proposes to establish an Independent Redistricting Commission whose members would be appointed by elected state Senate and House leaders. The United States constitution provides that individual state constitutions establish the laws governing their election process, including the establishment of voting districts for elected officers. The New Hampshire constitution provides that our legislature has sole responsibility for the establishment of voting districts.

The majority of the committee believes that to assign this responsibility would be contrary to the constitutions of New Hampshire and the United States which we have sworn to uphold and defend. Additionally, the appointment of commission members by elected leaders of the respective political parties continues to establish it as a political process but further insulated from the will of the NH voters.

New Hampshire has the largest legislative body in the United States. This makes us the most representative group, "commissioned of the people" if you will, to perform this constitutional responsibility. The majority of the committee recommends that this task be done as charged in our constitution and not be delegated to an appointed commission, contrary to our constitution.

Archived: Thursday, April 22, 2021 11:18:23 AM

From: Miriam Simmons

Sent: Thursday, April 22, 2021 10:27:08 AM

To: Miriam Simmons

Subject: FW: HB 121 CR Email

Response requested: Yes **Importance:** Normal

Attachments:

HB 121 Majority Report.docx

Sent: Wednesday, February 17, 2021 2:54 PM

To: Miriam Simmons <miriam.simmons@leg.state.nh.us> **Cc:** Pam Smarling <Pam.Smarling@leg.state.nh.us>

Subject: Fwd: HB 121 & CACR 4 blurbs

----- Forwarded message ------

From: Fenton Groen < fentongroen@gmail.com >

Date: Tue, Feb 16, 2021, 7:20 PM Subject: HB 121 & CACR 4 blurbs

To: <barbaragriffinnh@gmail.com>, Barbara Griffin <Barbara.Griffin@leg.state.nh.us>

Barbara,

Here is the revised HB 121 blurb

--

Fenton Groen - NH State Rep

Minority Report

HB 121-FN

Rep. Connie Lane for the Minority of Election Law.

Gerrymandering is one of the major reasons why voters have lost faith in democracy and feel that their votes do not count. This bill establishes an independent redistricting commission that is charged with conducting an open and transparent process enabling full public consideration of and comment upon the redistricting of county, state and federal electoral districts. It is intended to put the interest of voters, constituents, and communities of common interest ahead of purely political considerations. Historically, NH has conducted redistricting by establishing committees composed of members of the NH House and Senate. In NH, as in other states, the process of redistricting has become a bitterly contested, expensive, and litigated partisan battle. This bill creates a framework in statutory law, which will enable NH to have the next redistricting process conducted by an independent commission composed of 15 citizens, selected from a pool of citizens who fulfill the qualifications set out in the bill. The commission is independent, but the process continues to involve the Secretary of State and the elected leadership of both the NH House and Senate. The process leaves the ultimate decision to adopt the commission's plan to the legislature as the NH Constitution requires. It is akin to the commission established by the Governor to assist him with his constitutional duty to choose judges. This bill puts the interest of NH voters before our own as legislators seeking easy re-election.

Archived: Thursday, April 22, 2021 11:18:23 AM

From: Miriam Simmons

Sent: Thursday, April 22, 2021 10:33:20 AM

To: Miriam Simmons

Subject: HB 121 Email committee reports

Response requested: Yes **Importance:** Normal

Attachments:

HB 121 CR Email.docx

From: Barbara Griffin <Barbara.Griffin@leg.state.nh.us>

Sent: Tuesday, February 16, 2021 11:27 PM

To: Miriam Simmons <miriam.simmons@leg.state.nh.us>; Pam Smarling <Pam.Smarling@leg.state.nh.us>

Subject: committee reports

Here are 4. I think this brings us up to speed on what has been sent. And I have only seen the one minority report that you got.

Barbara.

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 121-FN-A

BILL TITLE: establishing an independent redistricting commission.

DATE: February 12, 2021

LOB ROOM: Remote / Hybrid

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Groen Seconded by Rep. Torosian Vote: 11-9

CONSENT CALENDAR: NO

<u>Statement of Intent</u>: Refer to Committee Report

Respectfully submitted,

Rep Natalie Wells, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on Bill # HB 121-FN

BILL TITLE: Establishing J	Independent Repostric	UU,	& Commission				
DATE: 2-12-21	,						
LOB ROOM: 306							
MOTION: (Please check one box)							
□ OTP ☐ ITL	☐ Retain (1st year)		Adoption of				
	☐ Interim Study (2nd year)		Amendment #(if offered)				
Moved by Rep. Guen	Seconded by Rep. TURSIAN						
MOTION: (Please check one box)							
\square OTP \square OTP/A \square ITL	☐ Retain (1st year)		Adoption of Amendment #				
	☐ Interim Study (2nd year)		(if offered)				
Moved by Rep.	Seconded by Rep.		Vote:				
MOTION: (Please check one box)							
\square OTP \square OTP/A \square ITL	☐ Retain (1st year)		Adoption of Amendment #				
	\square Interim Study (2nd year)		(if offered)				
Moved by Rep.	Seconded by Rep.		Vote:				
MOTION: (Please check one box)							
\square OTP \square OTP/A \square ITL	☐ Retain (1st year)		Adoption of Amendment #				
	\square Interim Study (2nd year)		(if offered)				
Moved by Rep.	Seconded by Rep.		Vote:				
CONSENT CALENDAR: YES NO Minority Report? Yes No If yes, author, Rep: Motion							
Respectfully submitted: <u>Natalie Wells</u> Rep Natalie Wells, Clerk							

OFFICE OF THE HOUSE CLERK



1/21/2021 9:37:57 AM Roll Call Committee Registers Report

2021 SESSION

 1	4:	
	ection	L.aw

Bill #	: 14B121 MMotion:	ITL	AM #:	Exec Session Date:	2-12-2021	
	The same of the sa		-		•	

<u>Members</u>	YEAS	Nays	NV
Griffin, Barbara J. Chairman			
MacDonald, Wayne D. Vice Chairman	V		
Prudhomme-O'Brien, Katherine J.	V		
Sweeney, Joe			
Hayward, Peter T.			
Mooney, Maureen C.			
Torosian, Peter E.			
Berry, Ross			
Groen, Fenton			
Qualey, James R.			
Wells, Natalie J. Clerk			
Cote, David E.		V	
Ward, Gerald W.R.		V	
Bergeron, Paul R.			
Sandler, Catt			
Hamer, Heidi M.		/	
Lane, Connie B.		/	
Freitas, Mary C.		/	,
Hamblet, Joan L.		1	
Muirhead, Russell		√	
TOTAL VOTE:	1 /	9	

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 121-FN-A

BILL TITLE: establishing an independent redistricting commission.

DATE: January 22, 2021

LOB ROOM: LOB Hybrid Time Public Hearing Called to Order: 2:00 p.m.

Time Adjourned: 2:45 p.m.

<u>Committee Members</u>: Reps. B. Griffin, W. MacDonald, Wells, Prudhomme-O'Brien, Sweeney, Hayward, Mooney, Torosian, Berry, Groen, Qualey, Cote, Ward, Bergeron, Sandler, Hamer, Lane, Freitas, Hamblet and Muirhead

Bill Sponsors:

Rep. M. Smith Rep. Berch Rep. Gordon Rep. Wolf Rep. Bunker Rep. Schuett

Rep. Kenney

TESTIMONY

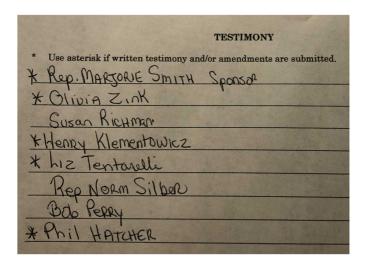
1. *Rep Marjorie Smith, - Sponsor, Introducing Bill, Recommends OTP

- a. This bill basically is the same with minor changes from HB706.
- b. It establishes an Independent Redistricting body to suggest a redistricting plan.
- c. The legislature has full power of approval.
- d. This bill guarantees public approval.
- e. In 2010 the redistricting resulted in 5 lawsuits.
- f. We have experience under great financial and emotional stress. It is about right and wrong, not republican and democrat. It eliminates gerrymandering.
- g. The Bill goes before us, the House, Senate and Governor to make choices. The major portion role of the legislature is start and finish the process.
- h. The role of the Supreme Court is if the legislature cannot finish the process. For democracy, the function of the people should choose the elected officials, not the other way around, and that is why we need an Independent Commission.
- 2. *Olivia Zink Lobbyist, Open Democracy Action: This bill ensures transparency, the process is accountable to the citizens, and Independent Redistricting Commission will do this
- 3. **Susan Richman** Supports this bill. Please approach this with a communal transparent commission.
- 4. *Henry Klementowicz Lobbyist, ACLU-NH: Supports this bill. It is fair and transparent for legislators to follow. It improves criteria when drawing up plans, maps being posted online. I feel it is an excellent plan and will give confidence to the people, and the maps will align better.
- 5. *Liz Tentarelli President of League of Women Voters NH: I am a volunteer, not a lobbyist. This legislation has the opportunity to restore confidence in the public's vote by starting with this committee to pass this bill. 15 other states have used Independent Commissions, such as Maine and Vermont.
- 6. *Phil Hatcher Resident of Dover for 34 years. After the 2010 redistricting was drawn, I felt the process must do better. HB 121 restores trust. I urge OTP. If you don't vote for this, propose alternatives.

- 7. **Rep Norm Silber** In 2017-18 I voted ITL. In our state constitution, Article 9 of legislators, section 26, it states that the legislators are required by the Constitution and is our responsibility (since our founding fathers) to do the redistricting. It needs to stay this way. I want this bill to be ITL.
- 8. **Rep Diane Schuett** has signed in favor of the bill, testimony submitted, but not speaking.
- 9. **Rep Altschiller** echoes Representative Smith, supports HB 121. The town of Stratham has taken this up as a Warrant Article and is in favor of this.

This concludes testimony on HB 121.

Meeting adjourned at 2:45 pm. Respectfully submitted, Rep Natalie Wells, Committee Clerk



HOUSE COMMITTEE ON ELECTION LAW

BILL TITLE:
DATE: 1-221 Establishing Independent Redistricting Commission

ROOM: 306	Time Public Hearing Called to Order:
	Time Adjourned: 2'. 454
All Present	(please circle if present)
Committee Members: Reps. B.	Griffin, W. MacDonald, Wells, Prudhomme-O'Brien, orosian, Berry, Groen, Qualey, Cote, Ward, Bergeron,
candler, mamer, Lane, Frentas,	namblet and Wulfflead
	TESTIMONY
	ny and/or amendments are submitted.
* Rep. MARJORIE SMI * Glivia Zink	TH Sponsor
* Olivia Zink	
Susan Richman	
* Henry Klementowic	2
* hiz Tentarelli	
Rep Norm Silber	
* Phil HATCHER	
* Phil HATCHER	

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING

DATE: 1-22-21

HB121 Establishing Independent Redistricting Commission

TESTIMONY

1. *Rep Marjorie Smith, - Sponsor, Introducing Bill, Recommends OTP

This bill basically is the same with minor changes from HB706. It establishes an Independent Redistricting body to suggest a redistricting plan. The legislature has full power of approval. This bill guarantees public approval. In 2010 the redistricting resulted in 5 lawsuits. We have experience under great financial and emotional stress. It is about right and wrong, not republican and democrat. It eliminates gerrymandering. The Bill goes before us, the House, Senate and Governor to make choices. The major portion role of the legislature is start and finish the process. The role of the Supreme Court is if the legislature cannot finish the process. For democracy, the function of the people should choose the elected officials, not the other way around, and that is why we need an Independent Commission.

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This concludes testimony on HB 121.

Meeting adjourned at 2:45pm.

Respectfully submitted,

Natalie Wells, Clerk

Support: 80 Oppose: 7 Neutral: 0 Total to Testify: 11

Name	Email Address	Phone	Title	Representing	Position	Testifying	Signed Up	
zink, olivia	Olivia@opendemocracy.me	603.661.8621	A Lobbyist	Open democracy action	Support	Yes (0m)	1/21/2021 6:28 AM	↑ ↓ del
Richman, Susan	susan7richman@gmail.com	603.343.6314	A Member of the Public	Myself	Support	Yes (0m)	1/21/2021 10:45 AM	↑ ↓ del
Klementowicz, Henry	henry@aclu-nh.org	603.333.2201	A Lobbyist	ACLU-NH	Support	Yes (0m)	1/21/2021 11:11 AM	↑ ↓ del
Labranche, Tony	tony.labranche@leg.state.nh.us	603.718.2436	An		Support	Yes (0m)	1/21/2021 11:29 AM	↑ ↓ del
Tentarelli, Liz	LWVnewhampshire@gmail.com	603.763.9296	A Member of the Public	League of Women Voters NH	Support	Yes (0m)	1/21/2021 11:54 AM	↑ ↓ del
Hatcher, Phil	phil.hatcher@gmail.com	603.988.8034	A Member of the Public	Myself	Support	Yes (0m)	1/21/2021 4:35 PM	↑↓ del
Perry, Bob	perry4nh@gmail.com	603.269.4651	A Member of the Public	Myself	Support	Yes (0m)	1/21/2021 4:49 PM	↑ ↓ del

Horrigan, Timothy	timothy.horrigan@leg.state.nh.us	An 603.969.3823 Electe Offici	•	Support	Yes (0m)	1/22/2021 7:52 AM	↑ ↓ del
Silber, Norman	njs@silbersnh.com	An 603.293.0565 Electe Offici	•	Oppose	Yes (0m)	1/22/2021 8:30 AM	↑ ↓ del
Altschiller, Debr	a debra.altschiller@leg.state.nh.us	An 603.686.1234 Electe Offici	e e	Support	Yes (0m)	1/22/2021 11:21 AM	↑ ↓ del
Guthrie, Joe	lojogut@gmail.com	An 603.489.1228 Electe Offici	•	Support	Yes (0m)	1/22/2021 12:00 PM	↑ ↓ del
Claflin, Kyri	kyriclaflin@comcast.net	A Member of the Public	oer Myself	Support	No	1/21/2021 8:34 AM	↑ ↓ del
Fordey, Nikki	nikkif610@gmail.com	A Member of the Public		Support	No	1/21/2021 10:04 AM	↑ ↓ del
Bundy, Linda	n_bundy@mcttelecom.com	A Member of the Public		Support	No	1/21/2021 10:46 AM	↑ ↓ del
Ponce de Leon, Marcus	ponceward5@gmail.com	A 603.952.8401 Memb of the	per Myself	Support	No	1/21/2021 11:04 AM	↑ ↓ del

			Public					
King, Marcia	mchking@gmail.com	603.924.3109	A Member of the Public	Myself	Support	No	1/21/2021 11:24 AM	↑↓ del
Sears, Amanda	amandakaelie@gmail.com	603.867.4433	A Lobbyist	Myself	Support	No	1/21/2021 12:01 PM	↑ ↓ del
Cotton, Bev	bevcott@gmail.com	603.529.3456	Public		Support	No	1/21/2021 1:17 PM	↑ ↓ del
Johnston, Cordell	cjohnston@nhmunicipal.org	603.748.4019	A Lobbyist	New Hampshire Municipal Association	Support	No	1/21/2021 3:11 PM	↑ ↓ del
Schmidt, Jan	tesha4@gmail.com		An	Ward 1 Nashua	Support	No	1/21/2021 3:15 PM	↑ ↓ del
Gallager, Eric	eric.gallager@leg.state.nh.us	603.223.6872	An Elected Official	Myself	Support	No	1/21/2021 3:54 PM	↑ ↓ del
ambrose, jill	jrose2@gmx.com	617.201.4737	A Member of the Public	Myself	Support	No	1/21/2021 4:05 PM	↑↓ del
Lightfoot, Jean	JnLightfoot@comcast.net	702.596.9317	An Elected Official	Myself	Support	No	1/21/2021 4:20 PM	↑ ↓ del
Huberman, Anne	Anne.Huberman@gmail.com	603.924.0842	A	Myself	Support	No	1/21/2021 4:42	↑ ↓ del

			Member of the Public				PM	
Coon, Kate	kate2coon@gmail.com	339.793.0686	A Member of the Public	Myself	Support	No	1/21/2021 4:47 PM	↑↓ del
Sullivan, Cyrus	cyguy464@gmail.com	603.507.5138	A Member of the Public	Myself	Oppose	No	1/21/2021 5:37 PM	↑↓ del
Fellows, Sallie	youdontneedmyemailorphone@email.con	n 603.111.1111	An Elected Official	Sallie Fellows	Support	No	1/21/2021 6:31 PM	↑↓ del
See, Alvin	absee@4Liberty.net	7380656	A Member of the Public	Myself	Oppose	No	1/21/2021 8:31 PM	↑↓ del
Ploszaj, Tom	tom.ploszaj@leg.state.nh.us	603.279.9965	An Elected Official	Myself	Oppose	No	1/21/2021 8:38 PM	↑↓ del
West, Sarah	sarahlilianwest@gmail.com	603.856.3694	A Member of the Public	Myself	Support	No	1/21/2021 10:57 PM	↑↓ del
McWilliams, Rebecca	Rebecca.McWilliams@leg.state.nh.us	603.227.6494	An Elected	Merrimack 27	Support	No	1/21/2021 11:49 PM	↑ ↓ del

		Official				
Moore, Susan	susan.moore.franconia@gmail.com	A 603.823.8050 Member of the Public	Support	No	1/22/2021 12:07 AM	↑↓ del
Spielman, Kathy	jspielman@comcast.net	A 603.397.7879 Member of the Public	Support	No	1/22/2021 6:13 AM	↑↓ del
Spielman, jim	jspielman@comcast.net	A Member of the Public A Myself	Support	No	1/22/2021 6:14 AM	↑ ↓ del
Podlipny, Ann	apodlipny57@comcast.net	A Member of the Public A Member Myself	Support	No	1/22/2021 6:16 AM	↑ ↓ del
Meuse, David	David.Meuse@leg.state.nh.us	An 603.957.8436 Elected Rockingham 29 Official	Support	No	1/22/2021 6:36 AM	↑ ↓ del
Fogarty, Sean	seanf186@gmail.com	A Member of the Public A Member Myself	Support	No	1/22/2021 7:14 AM	↑ ↓ del
Ingraham, Sheryl	sheryl.ingraham@gmail.com	A 410.972.1222 Member Myself of the	Support	No	1/22/2021 7:19 AM	↑ ↓ del

		Public					
Weston, Joyce	joyce.weston@leg.state.nh.us	An 603.276.0862 Elected Officia	•	Support	No	1/22/2021 7:21 AM	↑ ↓ del
Smith, Suzanne	suzanne.smith@leg.state.nh.us	An 603.715.0086 Elected Officia		Support	No	1/22/2021 7:59 AM	↑↓ del
Webster, Norma	nwebster322@yahoo.com	A Member of the Public	er Myself	Support	No	1/22/2021 8:22 AM	↑↓ del
Richards, Martha	Maplerichards@gmail.com	A Member of the Public	er Myself	Support	No	1/22/2021 8:25 AM	↑ ↓ del
Perkins Kwoka, Senator Rebecca	rebecca.perkinskwoka@leg.state.nh.us	An 603.271.2104 Elected Officia	•	Support	No	1/22/2021 8:34 AM	↑ ↓ del
Van Hazinga, Cynthia	cynthiavh164@gmail.com	A Member of the Public	er Myself	Support	No	1/22/2021 8:45 AM	↑ ↓ del
Wimberly, Joanne	jmdwimberly@gmail.com	A Member of the Public	er Myself	Support	No	1/22/2021 8:46 AM	↑ ↓ del
Hunnewell, Anne	e ahunne@roadrunner.com	603.536.4015 A	Myself	Support	No	1/22/2021 8:51	↑ ↓ del

			Member of the Public				AM	
Goggans, Ron	rongoggans@gmail.com	614.378.1995	An Elected Official	Myself	Support	No	1/22/2021 8:52 AM	↑↓ del
Espitia, Manny	manny.espitia@leg.state.nh.us	714.742.9527	An Elected Official	Myself	Support	No	1/22/2021 8:57 AM	↑↓ del
Bunker, Lisa	lisabunkernh@gmail.com	207.985.2053	An Elected Official	The town of Exeter	Support	No	1/22/2021 9:00 AM	↑↓ del
Sherman, Senator Tom	jennifer.horgan@leg.state.nh.us	2717875	An Elected Official	SD24	Support	No	1/22/2021 9:01 AM	↑↓ del
Donahue, Nancy	Nancyd114@roadrunner.com	603.536.1270	A Member of the Public	Myself	Support	No	1/22/2021 9:07 AM	↑ ↓ del
Richards, John	salmon246@gmail.com	693.536.2279	A Member of the Public	Myself	Support	No	1/22/2021 9:14 AM	↑ ↓ del
Read, Ellen	Ellen4nh@gmail.com	352.978.7692	An Elected Official	Rockingham 17	Support	No	1/22/2021 9:18 AM	↑ ↓ del
Schultz, Kris	kris.schultz@leg.state.nh.us	603.856.7279	An	Myself	Support	No	1/22/2021 9:21	↑ ↓ del

		Elected Officia				AM	
Pinto, Josie	josie@nhyouthmovement.org	413.461.5766 A Lobbyi	New Hampshire Youth st Movement	Support	No	1/22/2021 9:34 AM	↑ ↓ del
Widerstrom, Sally	sallyswid@gmail.com	A Member of the Public	er Myself	Oppose	No	1/22/2021 9:35 AM	↑↓ del
Lenahan, Carol	peaseporridgehot@roadrunner.com	A Member of the Public	er Myself	Support	No	1/22/2021 9:35 AM	↑ ↓ del
Berch, Paul	pberch@myfairpoint.net	An 603.399.4960 Elected Officia	•	Support	No	1/22/2021 9:35 AM	↑ ↓ del
VAIL, SUZANNE	Suzanne.vail@leg.state.nh.us	An 603.234.0704 Elected Officia	•	Support per 1/22/21 Email	No	1/22/2021 9:43 AM	↑↓ del
Kaynak, Katherine	katekaynak@aol.com	A Member of the Public	er Myself	Support	No	1/22/2021 9:45 AM	↑ ↓ del
Connolly, Brenn	a connolly.brenna@gmail.com	A Member of the Public	er Myself	Support	No	1/22/2021 9:50 AM	↑↓ del
Bartlett, Rep	christydbartlett@gmail.com	603.224.3172 An	Merrimack 19	Oppose	No	1/22/2021 9:54	· ↑↓ del

Christy			Elected Official				AM	
Howard, Sherrill	golfmoms@gmail.com	603.726.7614	A Member of the Public	Myself	Support	No	1/22/2021 9:55 AM	↑ ↓ del
Cape, Jared	jared.o.cape@gmail.com	603.374.3944	A Member of the Public	Myself	Support	No	1/22/2021 9:56 AM	↑ ↓ del
Chodor, Anthony	anthonychodor@gmail.com	603.289.7492	A Member of the Public	Myself	Support	No	1/22/2021 9:56 AM	↑ ↓ del
Spencer, Louise	lpskentstreet@gmail.com	603.491.1795	A Member of the Public	Myself	Support	No	1/22/2021 9:58 AM	↑ ↓ del
mangipudi, latha	latha.mangipudi@leg.state.nh.us	603.891.1239	An Elected Official	as Rep.Latha Mangipudi Hills 35	Support	No	1/22/2021 10:00 AM	↑ ↓ del
Lamphier, Regan	ReganBurkeLamphier@gmail.com	603.264.9391	A Member of the Public	Myself	Support	No	1/22/2021 10:01 AM	↑ ↓ del
Lucas, Janet	janluca1953@gmail.com	603.726.7614	A Member	Myself	Support	No	1/22/2021 10:02 AM	↑ ↓ del

			of the Public					
Bruno, Darla	rockitgirly@aol.com	603.678.8186	A Member of the Public	Myself	Support	No	1/22/2021 10:08 AM	↑ ↓ del
Verschuren, James	jd.verschueren@gmail.com	603.978.0398	A Member of the Public	Myself	Support	No	1/22/2021 10:10 AM	↑ ↓ del
deGozzaldi, Mary	mdegozzaldi@gmail.com	603.399.7204	A Member of the Public	Myself	Support	No	1/22/2021 10:13 AM	↑ ↓ del
Murray, Megan	megan.murray@leg.state.nh.us	978.494.4636	An Elected Official	Hills 22	Support	No	1/22/2021 10:16 AM	↑ ↓ del
Schuett, Dianne	dianne.schuett@leg.state.nh.us	603.224.0314	An Elected Official	Merr. County, Dist. 20	Support	No	1/22/2021 10:19 AM	↑ ↓ del
Desrochers, Gerard	g_desrochers@comcast.net	603.998.9634	A Member of the Public	Myself	Support	No	1/22/2021 10:33 AM	↑ ↓ del
NH), Sherry Frost (Strafford	sherry.frost@leg.state.nh.us	978.255.3924	An Elected Official	Strafford 16	Support	No	1/22/2021 10:44 AM	↑ ↓ del

McGraw, David	dcmcgraw@myfairpoint.net	603.726.3325	A Member of the Public	Myself	Support	No	1/22/2021 10:55 AM	↑ ↓ del
Aronson, Laura	laura@mlans.net	603.490.7126	A Member of the Public	Myself	Support	No	1/22/2021 11:03 AM	↑↓ del
Dattner-Levy, Amy	datcounsl@verizon.net	718.926.9570	A Member of the Public	Myself	Support	No	1/22/2021 11:03 AM	↑ ↓ del
Nastasi, Sue	ctcoastmetro@gmail.com	603.842.4523	An Elected Official	Myself	Support	No	1/22/2021 11:19 AM	↑ ↓ del
Mercurio, Joseph	lgsj10910@gmail.com	603.322.3305	A Member of the Public	Myself	Support	No	1/22/2021 11:27 AM	↑ ↓ del
Torpey, Jeanne	jtorp51@comcast.net		A Member of the Public	Myself	Support	No	1/22/2021 11:30 AM	↑↓ del
Conner, Michelle	tryray@gmail.com		A Member of the Public	Myself	Support	No	1/22/2021 11:53 AM	↑ ↓ del

Harrington, Ian	ian.harrington9@gmail.com	A 617.765.4069 Member of the Public	Support	No	1/22/2021 11:59 AM	↑ ↓ del
Caplan, Tony	anthonycaplan1@gmail.com	An 603.428.7042 Elected Myself Official	Support	No	1/22/2021 12:01 PM	↑↓ del
Waterman, Raymond	prwaterman@aol.com	A Member of the Public A Member Myself	Support	No	1/22/2021 12:25 PM	↑↓ del
Rathbun, Eric	ericsrathbun@gmail.com	A 860.912.3751 Member of the Public	Support	No	1/22/2021 10:31 PM	↑↓ del

Testimony



January 22, 2021

The Honorable Barbara Griffin Chairman, Election Law Legislative Office Building, Room 308, Concord, NH 03301

TESTIMONY in SUPPORT of HB 121

Dear Chairwoman Griffin and Members of Election Law Committee,

For the record my name is Olivia Zink, Executive Director of Open Democracy Action, a non-partisan, non-profit organization with over 35,000 members. Open Democracy Action's mission is fixing our democracy (Campaign Finance Reform, Redistricting and Protecting NH to Vote) in New Hampshire.

I want to thank this committee for all of the hard work that you have done on HB 706 and for the 20-0 vote two years ago show your support. And in 2020, the bi-partisan vote on HB 1665 shows the sustained dedication that you all have to create a fair process. Thank you.

I am here to speak in support of HB 121, to establish an independent redistricting commission to draw the boundaries for state and federal elections. Voters need to pick politicians. Politicians should not be picking voters. The current redistricting process in New Hampshire dilutes the power of the average voter, such as packing clusters of Democrats and Republicans when drawing the maps to create "safe" adjoining districts.

As a result, New Hampshire's Executive Council District 2 has been reconfigured into a massive, sprawling district that extends from one end of the state to the other, and representing everything from the sparsely rural frame and woodlands of extreme southwest New Hampshire, to the densely-populated urban center of Portsmouth.

New Hampshire's fairly unique usage of multi-member and floterial districts creates other redistricting complications. Many House and Senate districts are gerrymandered. These changes, implemented in 2010-2012, resulted in skewing election results in the 2016 election. Two separate studies by the Associated Press and New Hampshire Public Radio showed that the party which did the redistricting, and was in the majority at the time of the 2016 election,

picked up seats as a result. The AP analysis shows that 22 additional House seats were gained. Under our current system, that kind of manipulation can take place behind closed doors, without scrutiny by the minority party or the voters, and in a purple state like New Hampshire, the next swing of the pendulum might mean your party might suffer next time. HB 121 is an independent redistricting advisory commission. The bipartisan committee makes a recommendation, and the NH House and Senate approve the final maps, ensuring that the process meets the NH Constitution's mandate.

NH Constitution says in article 9: no town ward or place shall be divided nor the boundaries thereof altered. As it says in 662-B:4 Commission Duties. I. (a) Districts shall comply with the United States and New Hampshire Constitution and all applicable federal laws.

The redistricting process should be independent, transparent, and ensure that all communities in NH are fairly represented. New Hampshire politicians should be accountable to their constituents' needs. Fair maps and an independent redistricting process enforces a two-way conversation between voters and their elected official.

New Hampshire has a proud tradition of true citizen participation with our citizen legislature. Independent redistricting continues to show New Hampshire's commitment to ensuring that every voter has a chance to participate in a fair electoral process.

Recent cycles of redistricting in New Hampshire have resulted in distorted and partisan skewed districts. Gerrymandering schemes at the state-wide level have disenfranchised many local communities and diminished the competitiveness of legislative elections. Ahead of the 2020 census, please side with honesty and fairness by voting HB 121 OTP.

Respectfully,

Olivia Zink, Executive Director Open Democracy Action 4 Park St, Suite 301 Concord, NH 03301 January 22, 2021

Re: HB 121, establishing an independent redistricting commission.

To: Madame Chair Rep. Griffin and members of the Election Law committee

In a recent Pew Research Center survey 76% of respondents said that open and transparent government is very important for the country, but only 30% think that the government is in fact open and transparent.

Clearly we have work to do to restore trust in our government.

After the 2010 census was completed, new district maps for New Hampshire were drawn largely in secret and there was little meaningful public review and comment on the proposed maps before they were voted on and approved. This closed process, plus the gerrymandering that resulted, both served to reduce trust.

We can and must do better once the 2020 census is completed.

HB 121, which proposes an independent redistricting commission, is one approach to attempt to open up the process and put an end to gerrymandering. This would be a small step to start to restore trust in our government, which Lord knows we need right now. I urge you to vote Ought To Pass on HB 121.

I understand that some representatives may oppose the commission idea. In that case I hope you will propose or support an alternative approach to encourage an open and transparent redistricting process. These are difficult times, with turbulent politics. Everyone needs to commit to work to rebuild trust in government.

Thank you.

Phil Hatcher Dover, NH phil.hatcher@gmail.com

From: lchocice@aol.com

Sent: Friday, January 22, 2021 10:29:27 AM

To: ~House Election Law Committee

Subject: HB86 & HB121 **Response requested:** No **Importance:** Normal

I strongly oppose HB86. We should not be making harder for people to register vote. We should be making it easier. Same day registration has been in place for quite a while and there have been no issues. It works well and is convenient. This is clearly a partisan request, because one side thinks keeping people from voting benefits them. It is shameful to govern in this manner. Anything pertaining to elections should encourage participation and should be done fairly.

For the same reason I strongly support HB121. No party should have advantage over another. We need fairly draw districts. Partisan behavior is destroying our country.

Darla Bruno Lebanon, NH 603-678-8186

From: Dianne Schuett

Sent: Friday, January 22, 2021 10:33:25 AM

To: ~House Election Law Committee

Subject: Testimony on HB 121

Response requested: No **Importance:** Normal

To the Chair and members of Election Law Committee:

I am Rep. Dianne Schuett, I represent Merr. 20, the towns of Chichester and Pembroke and I am a co-sponsor of HB 121. I believe that fair redistricting is of utmost importance to our constituents. It has been shown time and time again, by petitions and opinion polls that a large majority of voters in New Hampshire want fair and representative voting districts. I believe that a non-biased redistricting commission would be a huge step toward fulfilling the constitutional guaranty that everyone's vote would hold equal value and I urge you to pass this bill.

From: Erin Spencer

Sent: Friday, January 22, 2021 12:37:07 PM

To: ~House Election Law Committee

Subject: support for HB121 **Response requested:** No **Importance:** Normal

Dear Committee Members

I am writing to ask that you support HB121 to establish an independent redistricting commission. The individuals who would benefit most from legislators drawing our district lines are the legislators themselves and the political parties they belong to. No political party should have the power to draw lines that benefit them. District lines should be drawn in a transparent way that takes into account population, not political affiliations.

Even if we all agree that gerrymandering has never been an issue in New Hampshire, HB121 would prevent gerrymandering from ever happening in future. An independent group would take away the impressions of gerrymandering that many have felt have happened by both parties in the past.

Voting in favor of HB121 shows a willingness to ensure our redistricting process is impartial and non-partisan.

A vote to support HB121 is a vote to support gerrymandering.

I urge you to support HB121.

Thank you for your time Erin Spencer Derry, NH <u>erinaspencer@gmail.com</u> 857.472.2079

Sent from Mail for Windows 10

From: Olivia Zink

Sent: Friday, January 22, 2021 2:03:22 PM

To: ~House Election Law Committee **Subject:** Testimony in support of HB 121

Response requested: No **Importance:** Normal

Attachments:

2021 HB 121.pdf

January 22, 2021

The Honorable Barbara Griffin Chairman, Election Law Legislative Office Building, Room 308, Concord, NH 03301

TESTIMONY in SUPPORT of HB 121

Dear Chairwoman Griffin and Members of Election Law Committee,

For the record my name is Olivia Zink, Executive Director of Open Democracy Action, a non-partisan, non-profit organization with over 35,000 members. Open Democracy Action's mission is fixing our democracy (Campaign Finance Reform, Redistricting and Protecting NH to Vote) in New Hampshire.

I want to thank this committee for all of the hard work that you have done on HB 706 and for the 20-0 vote two years ago show your support. And in 2020, the bi-partisan vote on HB 1665 shows the sustained dedication that you all have to create a fair process. Thank you.

I am here to speak in support of HB 121, to establish an independent redistricting commission to draw the boundaries for state and federal elections. Voters need to pick politicians. Politicians should not be picking voters. The current redistricting process in New Hampshire dilutes the power of the average voter, such as packing clusters of Democrats and Republicans when drawing the maps to create "safe" adjoining districts.

As a result, New Hampshire's Executive Council District 2 has been reconfigured into a massive, sprawling district that extends from one end of the state to the other, and representing everything from the sparsely rural frame and woodlands of extreme southwest New Hampshire, to the densely-populated urban center of Portsmouth.

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picked up seats as a result. The AP analysis shows that 22 additional House seats were gained. Under our current system, that kind of manipulation can take place behind closed doors, without scrutiny by the minority party or the voters, and in a purple state like New Hampshire, the next swing of the pendulum might mean your party might suffer next time. HB 121 is an independent redistricting advisory commission. The bipartisan committee makes a recommendation, and the NH House and Senate approve the final maps, ensuring that the process meets the NH Constitution's mandate.

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Recent cycles of redistricting in New Hampshire have resulted in distorted and partisan skewed districts. Gerrymandering schemes at the state-wide level have disenfranchised many local communities and diminished the competitiveness of legislative elections. Ahead of the 2020 census, please side with honesty and fairness by voting HB 121 OTP.

Respectfully,

Olivia Zink, Executive Director Open Democracy Action 4 Park St, Suite 301 Concord, NH 03301

From: Phil Hatcher

Sent: Friday, January 22, 2021 3:25:34 PM

To: ~House Election Law Committee Subject: written testimony for HB 121

Response requested: No **Importance:** Normal

Attachments:

HB 121 testimony by Phil Hatcher.pdf

I am following up my oral testimony at today's public hearing for HB 121 with a written copy.

Thank you for the opportunity to provide my testimony on this important issue.

Phil Hatcher Dover NH

From: Miriam Simmons

Sent: Friday, January 29, 2021 11:36:37 AM

To: Miriam Simmons

Subject: HB 121 Testimony Kimberly Kirkland

Response requested: No **Importance:** Normal

From: Kimberly Kirkland < kimberly@reiskirkland.com>

Sent: Friday, January 22, 2021 12:02 PM

To: ~House Election Law Committee <HouseElectionLawCommittee@leg.state.nh.us>

Subject: Bills before you today

I'm writing to voice my support for SB 2 and HB 121-FN-A. It is essential that we allow local election officials to pre-process absentee ballots. Absentee ballots should continue to be pre-processed so we can get election results on election day, encouraging faith on our elections. Towns should be permitted to postpone town meeting if Covid Concerns make broad attendance by the community difficult.

Finally, I oppose HB86. Same day registration is fundamental to making it simple for citizens to vote. I have registered same day registrants in numerous elections. There is nothing more inspiring than watching your neighbors register and vote. Participation in democracy is key to government by and for the people.

Thank you for taking the time to read this.

Kimberly Kirkland Concord

Please note that our office is currently closed and all of our staff are working remotely. As such, regular mail is being forwarded to a different address. If you would like to send something to us via FedEx or UPS, please let us know so we can provide an address for you to send it to. Thank you.

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From: Miriam Simmons

Sent: Friday, January 29, 2021 11:38:30 AM

To: Miriam Simmons

Subject: HB121 Testimony Darla Bruno Lebanon NH

Response requested: No **Importance:** Normal

From: lchocice@aol.com <lchocice@aol.com> Sent: Friday, January 22, 2021 10:29 AM

To: ~House Election Law Committee <HouseElectionLawCommittee@leg.state.nh.us>

Subject: HB86 & HB121

I strongly oppose HB86. We should not be making harder for people to register vote. We should be making it easier. Same day registration has been in place for quite a while and there have been no issues. It works well and is convenient. This is clearly a partisan request, because one side thinks keeping people from voting benefits them. It is shameful to govern in this manner. Anything pertaining to elections should encourage participation and should be done fairly.

For the same reason I strongly support HB121. No party should have advantage over another. We need fairly draw districts. Partisan behavior is destroying our country.

Darla Bruno Lebanon, NH 603-678-8186

From: Sally Davis

Sent: Monday, February 8, 2021 10:40:27 AM

To: ~House Election Law Committee

Subject: HB 121 **Importance:** Normal

I support HB 121-FN-A and ask that you vote Ought To Pass. There is so much cynicism re politics in New Hampshire and fair redistricting would go a long way in restoring faith in our elections. Having observed the last two efforts, a Commission of people with the software tools of the internet we have today would make it much easier to do.

Sally Davis 50 Sugar Run Thornton NH 03285 726-3775

From: KL Bundy

Sent: Thursday, February 11, 2021 8:43:42 AM

To: ~House Election Law Committee

Subject: HB 121 **Importance:** Normal

Hello Members of the House Election Law Committee,

I am in support of HB121 and ask that you support it as well. This bill clearly lays out a procedure for selecting members of the advisory commission. It specifies how the commission will keep the public informed of the process of drawing the maps. Meetings will be open to members of the public and accept their input. Proposed maps will be posted along with the data used to draw them. Districts will be drawn in keeping with constitutional requirements and have compact shapes with consideration for communities of interest. Maps shall not favor or disfavor any political party or racial or language group. Ultimate approval of maps still lies with the legislature, as the committee is advisory. For these reasons, I believe that HB 121 deserves your support. It will ensure that redistricting is fair, transparent, and accepts public input.

Respectfully, Linda Olson Bundy Antrim

From: ellermannf@aol.com

Sent: Thursday, February 11, 2021 10:22:01 AM

To: ~House Election Law Committee

Subject: legislation **Importance:** Normal

Good Morning

I'd like to add my name to those who are supporting HB 121- FN-A. I think we would all agree, that free and fair elections do not happen with corrupted gerrymandering. Please help to establish an independent redistricting commission.

Thank you for your support of Democracy.

Maureen Ellermann

Concord

From: Jean Lightfoot

Sent: Thursday, February 11, 2021 1:45:46 PM

To: ~House Election Law Committee

Subject: HB 121 **Importance:** Normal

Good afternoon, Representatives,

I am writing in regard to the HB 121 Independent Redistricting Commission. I do not see how this can be unconstitutional, as some of you have stated. The legislature certainly has the authority and duty to do the diennial redistricting. However, they have always had assistance from experts and others in their task and I don't understand how this is any different than codifying an Independent Redistricting Commission to offer advice on how to do it fairly and openly. Can you explain to me what the difference is?

Not only would the independent commission offer a way to openly discuss the process, using it will help to reduce the litigation that resulted from the 2001 and 2011 redistricting fiascos. This process wasted thousands of the State's dollars that could easily have been used elsewhere.

It would be great if CACR 4 would also pass this year, but it doesn't look like it will. But, why not set up a commission now so we can see how it works and offer assurance to the people of New Hampshire that their legislators are doing their job as fairly and openly as possible?

Thank you for all you do for us and for the State of New Hampshire.

Sincerely,

Jean Lightfoot

Contoocook, NH (Town of Hopkinton)

Phone: 702-596-9317

From: ellen farnum

Sent: Friday, February 12, 2021 6:40:59 AM

To: ~House Election Law Committee

Subject: Support 121 **Importance:** Normal

Dear Legislators,

Please support establishing an independent redistricting commission. We need the help of a nonpartisan, independent commission to draw fair districts and keep our democracy strong.

Ellen Farnum 1854 Great Hill Tamworth NH 03886 Sent from my iPad

From: kate coon

Sent: Thursday, February 11, 2021 11:03:11 PM

To: ~House Election Law Committee Subject: CACR 4 and HB 121: Support

Importance: Normal

Dear Chairperson Griffin and Committee Members:

I have followed the work of your committee with interest as you have taken up a number of really important bills that concern us all as Granite State voters. Being able to attend a number of Election Law Committee hearings remotely is, to me, a great example of Democracy in Action, and it gives me true appreciation for the seriousness with which you each approach your task.

One hundred years ago women won the right to vote. That same year saw the founding of the League of Women Voters, an organization in which I became active 4 years ago (following in the footsteps of my mother, both grandmothers and my aunts), now chairing the PeterboroughPlus unit of LWVNH, a unit covering 13 towns.

I guess I want to say in this note to you-- please listen, really listen, to Liz Tentarelli who has been a leading voice for years on the dangers of gerrymandering and the importance of fair, non-partisan and transparent redistricting. You know Liz, you know her to be measured, non-dogmatic, practical, principled and massively thoughtful and well-informed. She "knows her stuff" and I have learned a great deal from her presentations on redistricting and its vital timely importance. I moved here from Massachusetts 7 years ago so was not here the last time New Hampshire faced this task.

This year the League of Women Voters was a national partner for the 2020 Census and in our Monadnock region we worked hard on many fronts to ensure a Complete Count to the degree possible in a very challenging year. My slogan became "Count everybody, because everybody counts." Every ten years, By mandate of the US Constitution. It will not happen again until another decade passes.

So now we-- you-- the state has (or WILL have) in its hands this precious, once in a decade data. This data must not become a political football, used callously and cynically by whatever party is, or hopes to be, in power. It was very jarring to hear last week the comment by NH GOP Chairman, Steve Stepanek, "Because we control redistricting, I can stand here today and guarantee you that we will send a conservative Republican to Washington, D.C. as a Congress person in 2022." Believe me, if a Democrat made the same claim I would be equally appalled. This is not a game. There is too much power and consequence at stake.

As our elected Representatives, stewards of the sacred trust of the ballot, you should be seeking the highest ethical standard for the once-in-a-decade equally sacred trust of fair redistricting. The tools for drawing maps today are sophisticated beyond anybody's imagining even 10 years ago. They can be used for good, or they can be used for cynical manipulation. Let's not let that happen. Let's not have a race to the bottom. Let's be proud of the Granite State's famous ability to think and work with independence and common sense and lead the way with how we "draw the lines". Let's have a fair, transparent, non-partisan, pro-voter gold standard for redistricting in this state. HB 121 and CACR 4 both provide a pathway to that.

Thank you for your attention to this letter and for your service to New Hampshire.

Kate Coon Peterborough NH

From: Miriam Simmons

Sent: Wednesday, April 7, 2021 10:12:39 AM

To: Miriam Simmons Subject: HB 121,

Response requested: No **Importance:** Normal

From: Bob Perry <perry4nh@gmail.com>
Sent: Thursday, February 11, 2021 1:46 PM

To: ~House Election Law Committee <HouseElectionLawCommittee@leg.state.nh.us>

Subject: HB 121, 105, 465

Dear members of the Election Law Committee,

As you know, I presented in support of 121 and 105. I will/have registered my support of 465. All of these bills serve to equalize the political influence of voters with other voters, in the case of redistricting; and mitigate the disparity between ordinary political contributors and those who benefit from current campaign finance laws in need of strengthening to close loopholes.

I urge OTP relative the above-mentioned. Thank you.

Bob Perry Strafford

From: Miriam Simmons

Sent: Wednesday, April 7, 2021 10:59:57 AM

To: Miriam Simmons

Subject: HB 121: Bills your considering

Response requested: No **Importance:** Normal

From: George Saunderson <saunderson.george@gmail.com>

Sent: Saturday, January 23, 2021 7:31 AM

To: ~House Election Law Committee <HouseElectionLawCommittee@leg.state.nh.us>

Subject: Bills your considering

Dear Sirs;

Please mark me down in support of

SB 2 and HB121-FN-A

and opposed to HB86.

Thank You, George Saunderson 615 Lovejoy Road Loudon N.H. 03307

From: Miriam Simmons

Sent: Wednesday, April 7, 2021 11:00:47 AM

To: Miriam Simmons

Subject: HB 121 Bills before you today

Response requested: No **Importance:** Normal

From: Kimberly Kirkland < kimberly@reiskirkland.com>

Sent: Friday, January 22, 2021 12:02 PM

To: ~House Election Law Committee <HouseElectionLawCommittee@leg.state.nh.us>

Subject: Bills before you today

I'm writing to voice my support for SB 2 and HB 121-FN-A. It is essential that we allow local election officials to pre-process absentee ballots. Absentee ballots should continue to be pre-processed so we can get election results on election day, encouraging faith on our elections. Towns should be permitted to postpone town meeting if Covid Concerns make broad attendance by the community difficult.

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Thank you for taking the time to read this.

Kimberly Kirkland Concord

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From: Miriam Simmons

Sent: Wednesday, April 7, 2021 11:02:10 AM

To: Miriam Simmons

Subject: Support HB 121-FN-A

Response requested: No **Importance:** Normal

From: Melissa Hinebauch <mmhinebauch@yahoo.com>

Sent: Friday, January 22, 2021 11:21 AM

To: ~House Election Law Committee <HouseElectionLawCommittee@leg.state.nh.us>

Subject: Support SB 2 and HB 121-FN-A

Dear Election Law Committee,

Please support SB 2 and HB 121-FN-A.

You should definitely advocate and vote for:

- Establishing an independent redistricting commission
- Allowing pre-processing of absentee ballots
- Allowing the postponement of annual town meetings in 2021 if the Covid-19 health emergency continues.

Thank you for supporting SB 2 and HB 121-FN-A.

Sincerely,

Mel Hinebauch Concord, NH 03301

Bill as Introduced

HB 121-FN-A - AS INTRODUCED

2021 SESSION

21-0066 11/06

HOUSE BILL 121-FN-A

AN ACT establishing an independent redistricting commission.

SPONSORS: Rep. M. Smith, Straf. 6; Rep. Berch, Ches. 1; Rep. Gordon, Graf. 9; Rep. Wolf,

Merr. 5; Rep. Bunker, Rock. 18; Rep. Schuett, Merr. 20; Rep. Kenney, Straf. 6

COMMITTEE: Election Law

ANALYSIS

This bill establishes an independent redistricting commission.

Explanation: Matter added to current law appears in *bold italics*.

Matter removed from current law appears [in brackets and struckthrough.]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT

30

establishing an independent redistricting commission.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1	1 New Chapter; Independent Redistricting Commission. Amend RSA by inserting after chapter
2	662-A the following new chapter:
3	CHAPTER 662-B
4	INDEPENDENT REDISTRICTING COMMISSION
5	662-B:1 Independent Redistricting Commission Established. There is hereby established a New
6	Hampshire independent redistricting commission ("commission"), that shall convene no later than
7	July 1, 2021, and every 10 years thereafter, in order to:
8	I. Conduct an open and transparent process enabling full public consideration of and
9	comment on the drawing of district lines.
10	II. Draw district lines according to the redistricting criteria specified in this chapter.
11	III. Conduct its business with integrity and fairness.
12	662-B:2 Eligibility to Serve on the Commission. A person shall be eligible for appointment to
13	the commission if the person is eligible to register to vote in New Hampshire and if the person does
14	not currently hold office in the United States House of Representatives, New Hampshire senate
15	New Hampshire house of representatives, or executive council, or a county commission.
16	662-B:3 Appointment of Commissioners.
17	I. The secretary of state shall identify the pool of eligible commissioners. He or she shall, to
18	the extent practicable, notify all eligible persons and invite them to apply. These efforts may
19	include:
20	(a) Advertising the application period and criteria in daily newspapers in the state.
21	(b) Advertising the application period and criteria on the home page of state agency
22	websites.
23	(c) Requesting media to publicize the commission's search for eligible members.
24	(d) Publicizing the application period and criteria in the New Hampshire house and
25	senate calendars.
26	II.(a) A person who is eligible to serve as a member of the commission may submit ar
27	application to the secretary of state no later than February 1 of each year ending in the number one
28	except the year 2021, during which applications shall be submitted no later than 60 days after the
29	effective date of this section. Such application shall include the following information:

(1) Whether the applicant has registered as a lobbyist in the preceding 10 years.

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- (2) What elective offices, if any, the applicant has held in New Hampshire in the preceding 10 years.
- (3) If the applicant has voted in a state primary election or presidential primary election in New Hampshire in the preceding 6 years, which political party's ballots the applicant has taken.
- (b) From all eligible applications received, the senate and house leaders from the majority party in the house shall nominate 10 applicants from the majority party in the house, and the senate and house leaders from the largest minority party in the house shall nominate 10 applicants from the largest minority party in the house. The senate and house leaders from the majority party in the house shall chose 5 members from the 10 applicants so selected from largest minority party in the house to serve on the commission. The senate and house leaders from the largest minority party in the house shall chose 5 members from the 10 applicants so selected from the majority party in the house to serve on the commission.
- (c) The 10 commissioners so selected shall together select 5 commissioners from the applicants who are not members of the majority party in the house or the largest minority party in the house. The 10 commissioners may not initiate communications or reply to communications about the selection process of the remaining 5 commissioners with outside persons attempting to influence commissioners or commission action. The process of selecting the 5 commission members not affiliated with the majority party in the house or the largest minority party in the house is not subject to the right-to-know law in RSA 91-A.
- III. In the event of substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, a member of the commission may, after being served written notice and given an opportunity for a response, be removed by a vote of 11 members of the commission. A finding of substantial neglect of duty or gross misconduct in office may result in referral to the New Hampshire attorney general for criminal prosecution.
- IV. Vacancies on the commission shall be filled when they occur by the commission selecting, by a vote of 11 members, a new member from among the original pool of applicants of the same political party as the vacated commissioner seat still willing to serve or by seeking a replacement in the same manner as initial appointments.
- V. The term of office of commission members expires 2 years after the final enactment of the redistricting plan into law.
 - 662-B:4 Commission Meetings.

- I. The commission shall act in public meetings by the affirmative vote of at least 9 members.
- II. All meetings of the commission shall be open to the public. The commission shall publicly post notice of its meetings on the commission website and other appropriate outlets at least 7 days prior to such meetings. All records of the commission, including all communications to or

HB 121-FN-A - AS INTRODUCED - Page 3 -

- from the commission regarding the work of the commission, shall be made available for public inspection.
 - III. The commission shall hold at least one public meeting in each county prior to drawing any maps and at least one public meeting in each county after releasing any proposed maps.
 - IV. The commission shall create a website that shall provide, at a minimum, a description of the role of the commission in the redistricting process, timely information to the public about the time, place, and purpose of each meeting of the commission, reports, minutes, and such other information that will support an open and transparent process.
 - V. The commission shall provide a meaningful opportunity for all persons to participate in the public meetings. Meetings shall be held only in spaces that are accessible under the Americans with Disabilities Act of 1990, as amended.
 - VI. Commission meetings shall be adequately advertised and planned so as to encourage attendance and participation across the state. This includes scheduling meetings outside of regular work hours.
 - VII. The commission shall be considered a public body subject to RSA 91-A. No documents created or received by the commissioners or staff as part of official duties, including emails and text messages, shall be exempt from disclosure for any privilege other than attorney-client privilege.
 - VIII. Commissioners and staff may not initiate communications or reply to communications about commission business with outside persons attempting to influence commissioners or commission action outside of public meetings. To the extent that commissioners and staff receive such communications, the identity of the person or group and the subject of the communication shall be publicly disclosed on the commission website.
 - 662-B:5 Developing Redistricting Maps.

- I. During the map drawing process, any member of the public may submit maps or portion of maps for consideration by the commission in a portable document format suitable for archiving (PDF/A) format, or other format approved by the secretary of state. These submissions shall be made publicly available and shall include the name of the person making the submission. Electronically submitted maps may be posted on the commission website.
- II.(a) The commission shall post proposed maps in a manner determined by the commission, provided that such display shall include posting on the commission website for a minimum of 7 days for public comment and by distribution to the news media in a manner designed to achieve the widest public access reasonably possible before establishing a final plan. Additionally, the efforts to achieve access may include but not be limited to:
- (1) Advertising the availability of the proposed maps in daily newspapers in the state.
- 36 (2) Advertising the availability of the proposed maps on the home page of state 37 agency websites.

HB 121-FN-A - AS INTRODUCED - Page 4 -

1 (3) Requesting media to publicize the availability of the proposed maps. 2 (b) When releasing a proposed map, the commission shall also release the data used to 3 create the plan, such as population data, geographic data, and election data. 4 III. The commission shall issue with the proposed and final maps written evaluations that 5 measure the maps against external metrics, and may include efficiency gap and compactness. These 6 metrics shall cover all criteria set forth in RSA 662-B:6. 7 IV.(a) No later than December 20 of any year ending in one, the commission shall submit 8 final plans for New Hampshire county commission, house, senate, executive council, and 9 congressional districts to the senate president, speaker of the house of representatives, and senate 10 and house minority leaders. 11 (b) If a chamber of the legislature fails to pass the final plans for any of the districts, the 12 commission shall review the legislative record. The commission shall then amend the final plans 13 after reviewing the legislative record, and resubmit the plans to the legislature. 14 (c) When the legislature passes final redistricting plans the plans shall be filed with the 15 secretary of state. 16 662-B:6 Redistricting Criteria. 17 I. The commission shall establish single or multi-member districts for the New Hampshire county commissions, house of representatives, and single member districts for the New Hampshire 18 19 senate, executive council, and United States representative, using the following criteria as set forth 20 in the following order of priority: 21(a) Districts shall comply with the United States Constitution and all applicable federal 22 laws. Districts shall be drawn on the basis of total population. 23 (b) Districts shall comply with the New Hampshire constitution and all applicable state 24laws. 25 (c) Districts shall form single boundaries and shall not be bisected or otherwise divided 26 by other districts, and shall respect the geographic integrity of political boundaries to the extent practicable without violating the requirements of state law or any preceding subdivisions. 27 28 Districts shall be drawn in compact shapes and shall avoid jagged edges and 29 extensions. 30 (e) Commissioners shall consider the integrity of communities of interest to the extent 31 practicable. For purposes of this section a community of interest is defined as an area with 32recognized similarities of interests, including but not limited to racial, ethnic, economic, social, 33 cultural, geographic, or historic identities. Communities of interest shall not include common

II.(a) The plan as a whole shall not have the intent or the effect of unduly favoring or disfavoring any political party, incumbent, or candidate for political office.

relationships with political parties or political candidates.

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1	(b) Districts shall not have the intent or the effect of unduly favoring or disfavoring any
2	racial or language group.
3	662-B:7 Failure of Legislature to Reach Consensus. If a redistricting plan is not enacted, any
4	registered voter may file a petition with the New Hampshire supreme court. The supreme court may
5	appoint a special master to create the relevant plans, upon its determination that no redistricting
6	plan will be validly enacted in time for the upcoming election. If the court creates a redistricting
7	plan, nothing in this section shall prevent a subsequent legislature from enacting an otherwise
8	lawful redistricting plan.
9	662-B:8 Judicial Review. Any registered voter in this state may file a petition, within 45 days
10	after adoption of a final map on the grounds that the plan violates any federal or state law.
11	662-B:9 Compensation. Members of the commission shall receive mileage reimbursement at the
12	federal rate for expenses incurred in connection with the duties performed pursuant to this chapter.
13	662-B:10 Financial Independence.
14	I. For the fiscal year ending June 30, 2021, the governor may draw a warrant out of sums
15	not otherwise appropriated to fund expenses of the commission established pursuant to this chapter.
16	II. For each subsequent biennium preceding the decennial census, the governor shall include
17	in his or her budget recommendation appropriations sufficient to meet the estimated expenses of the
18	commission, including but not limited to adequate funding for a statewide outreach program to
19	solicit broad public participation in the redistricting process and adequate office space available for
20	the operation of the commission.
21	662-B:11 Secretary of State to Provide Support. The secretary of state shall provide such
22	administrative and staff support as is necessary for the commission to perform its duties.

2 Effective Date. This act shall take effect upon its passage.

Fiscal Note

HB 121-FN-A FISCAL NOTE AS INTRODUCED

AN ACT establishing an independent redistricting commission.

FISCAL IMPACT: [X] State [X] County [X] Local [] None

	Estimated Increase / (Decrease)			
STATE:	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	Indeterminable Increase	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	[X] General	[] Education	[] Highway	[] Other

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable	Indeterminable	Indeterminable	Indeterminable
Expenditures	Increase	Increase	Increase	Increase

METHODOLOGY:

This bill creates an independent redistricting commission to convene no later than July 1, 2021, and every 10 years thereafter. The Secretary of State would identify the pool of eligible individuals to serve as commissioners, notify such eligible persons and invite them to apply, and use advertisements and media to publicize the search for eligible members. From all eligible applications received, 10 applicants shall be nominated and chosen by majority and minority leadership of the General Court, and the 10 commission members shall then select 5 additional commissioners from the applicant pool. The Secretary of State shall provide administrative and staff support to the commission.

The bill includes an appropriation for the fiscal year ending June 30, 2021 to fund expenses of the commission from general funds and directs the governor to include funding in future budget proposals for each subsequent biennium preceding the decennial census. Such future funding shall be sufficient to meet the estimated expenses of the commission, including funding for a statewide outreach program to solicit broad public participation and adequate office space for the operation of the commission.

The Department of State estimates it would budget \$10,000 to advertise in daily newspapers for qualified persons to apply to the commission to be considered for appointment. The cost of the required administrative support from the Secretary of State's Office is unknown at this time but the Department indicates that it would need a full time employee while the commission is meeting regularly. The cost for a full time administrative assistant labor grade 19 for 10 months is estimated to be \$57,000. There would be an indeterminable cost associated with the Secretary of State hosting and maintaining a website for displaying redistricting proposals.

The Legislative Branch assumes additional costs associated with independent commission mileage reimbursement would be addressed through appropriations to the Secretary of State's Office. Expenses of the leadership of the General Court in choosing 10 members of the commission and legislative chamber review and vote on the final advisory plan submitted by the commission would be minimal and could be absorbed without additional legislative funding.

The Department of Justice indicates there may be an unknown number of cases referred to the Attorney General for criminal prosecution when the commission makes a finding of substantial neglect of duty or gross misconduct by a commission member. This may result in an unknown number of investigations and/or prosecutions by the department and require additional resources, therefore the resulting fiscal impact is indeterminable.

The Judicial Branch states this bill provides a statutory basis for bringing suit to block a redistricting plan. Petitions would fall within the Equity jurisdiction of the Supreme Court. Consolidation of individual petitions into a single suit could be handled by the Supreme Court within its existing resources. The bill requires the Supreme Court to appoint a special master if the Legislature fails to approve a redistricting plan submitted by the redistricting commission. The costs of appointment of a special master are indeterminable, with other states having paid in excess of \$30,000 for such services, with hourly rates for expert services between \$250 and \$300 per hour. Such costs would be incurred only once during the redistricting process in FY 2022 and possibly every ten years thereafter.

This bill contains penalties that may have an impact on the New Hampshire judicial and correctional systems. There is no method to determine how many charges would be brought as a result of the changes contained in this bill to determine the fiscal impact on expenditures. However, the entities impacted have provided the potential costs associated with these penalties below.

Judicial Branch	FY 2021	FY 2022
Class B Misdemeanor	\$55	\$55
Class A Misdemeanor	\$78	\$78
Simple Criminal Case	\$309	\$309
Routine Criminal Felony Case	\$494	\$494
Appeals	Varies	Varies

It should be noted that average case cost estimates for FY 2021 and FY 2022 are based on data that is more than ten years old and does not reflect changes to the courts over that same period of time or the impact these changes may have on processing the various case types. An unspecified misdemeanor can be either class A or class B, with the presumption being a class B misdemeanor.

Judicial Council		
Public Defender Program	Has contract with State to provide services.	Has contract with State to provide services.
Contract Attorney – Felony	\$825/Case	\$825/Case
Contract Attorney – Misdemeanor	\$300/Case	\$300/Case
Assigned Counsel – Felony	\$60/Hour up to \$4,100	\$60/Hour up to \$4,100
Assigned Counsel – Misdemeanor	\$60/Hour up to \$1,400	\$60/Hour up to \$1,400

It should be noted that a person needs to be found indigent and have the potential of being incarcerated to be eligible for indigent defense services. The majority of indigent cases (approximately 85%) are handled by the public defender program, with the remaining cases going to contract attorneys (14%) or assigned counsel (1%).

Department of Corrections		
FY 2020 Average Cost of Incarcerating an Individual	\$47,691	\$47,691
FY 2020 Annual Marginal Cost of a General Population Inmate	\$6,407	\$6,407
FY 2020 Average Cost of Supervising an Individual on Parole/Probation	\$584	\$584
NH Association of Counties		
County Prosecution Costs	Indeterminable	Indeterminable
Estimated Average Daily Cost of Incarcerating an Individual	\$105 to \$120	\$105 to \$120

AGENCIES CONTACTED:

Departments of State, Justice and Corrections, Legislative and Judicial Branches, Judicial Council and New Hampshire Association of Counties

HB 121-FN-A- FISCAL NOTE AS INTRODUCED

AN ACT

establishing an independent redistricting commission.

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Funding Source:	[X] General	[] Education [] Highway [] Other

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NH Association of Counties						
County Prosecution Costs	Indeterminable	Indeterminable				
Estimated Average Daily Cost of Incarcerating an Individual	\$105 to \$120	\$105 to \$120				

It is assumed the fiscal impact of this bill will not begin until FY 2022.

AGENCIES CONTACTED:

Departments of State, Justice and Corrections, Legislative and Judicial Branches, Judicial Council and New Hampshire Association of Counties