

MINUTES OF THE SPECIAL COMMITTEE ON REDISTRICTING
LEGISLATIVE OFFICE BUILDING
ROOMS 210 – 211
AUGUST 25, 2021

The meeting was called to order by Chairman Barbara Griffin at 10:06 AM. She asked that everyone join her in the Pledge of Allegiance and proceeded to lead the group in the Pledge.

Chairman Griffin asked Committee Clerk Wayne MacDonald to call the roll of committee members for attendance purposes. Fifteen members were present, which was the full number of members for the committee. Rep. Steve Shurtleff sat in place of Rep. David Cote, Rep. Margaret Kennedy sat in place of Rep. Bob Lynn and Rep. Marjorie Porter sat in place of Rep. Lucy Weber.

Chairman Griffin announced that the US Census data on New Hampshire's 2020 population had been received and it had been posted on the General Court Website. Chairman Griffin pointed out that the county-by-county population data had been provided to committee members through both e-mail and paper copies left at their seats this morning. The new population figures calculate out to each member of the New Hampshire House representing 3,443.8 citizens of the state, which rounds out to 3,444. Chairman Griffin reviewed the population for each of the counties and the state as a whole.

Rep. Ross Berry, who had prepared the sheet detailing the apportionment of representatives to each county, explained how he had come up with the numbers and the rounding procedures he had used.

Chairman Griffin introduced Joel Anderson, who had developed the software for redistricting ten years ago. That same software will be used this time also. Mr. Anderson had developed the software for the 2012 redistricting, because none existed at the time. The reason was due to the flotalial districts. Mr. Anderson explained that he was not a professional programmer and was self-taught.

Rep. Marjorie Porter asked if flotalial districts are required. Rep. Steve Smith explained that they are a mathematical necessity, in order to meet the federal requirements and keep state representative districts within county lines. Chairman Griffin pointed out that the state constitution provides for flotalial districts.

Joel Anderson said that the redistricting software uses the exact, current figure, with the decimal places, for each state representative seat and district. The software also makes sure the towns in every district are contiguous. Mr. Anderson demonstrated the software from ten years ago on a large screen, before the full committee. He explained that the software we use this time will look only slightly different. Mr. Anderson created districts for the City of

Claremont, as an example of how the software could be used and the options for drawing districts that existed. The software uses a +/- 5% formula, which is the allowed legal deviation. Rep. Porter asked if we were required to recognize the wards in the cities? Are we allowed to pull from other communities, if needed, to draw a district? Mr. Anderson said the answer to both questions was yes.

Rep. Paul Bergeron asked if the software data base was loaded with the current census data? Mr. Anderson said that it was. Further, the program will be updated as the cities update their ward populations. Rep. Bergeron asked if natural boundaries were going to be considered as making communities contiguous? Chairman Griffin said natural boundaries, such as rivers, were not considered.

Mr. Anderson proceeded to show how Sullivan County, where Claremont is located, could also be districted. The software shows different map options by clicking on different towns. After a county is redrawn, the work can be saved. Rep. Matthew Wilhelm asked why floterial districts didn't have a deviation. Mr. Anderson explained the difference between regular districts and floterial districts.

Rep. Marjorie Smith asked if school districts and other areas of commonality are going to be considered? Chairman Griffin and Mr. Anderson explained that working with the software and drawing the districts is "a math exercise."

Rep. Wilhelm asked about the thumb drive, which every committee member had also received. Mr. Anderson explained that it was designed to work with windows software. When the drive is opened, three files are seen: 1) the license agreement; 2) the House Redistricting File, which is executable and can be put as a shortcut on the desktop; and 3) software to redraw the congressional districts. Rep. Connie Lane asked if there was a program for redrawing the executive council districts too? Mr. Anderson said no. The software is considered the intellectual property of the General Court. The Senate will be taking the lead in drawing the state senate districts and the executive council districts and the House will be taking the lead in drawing the state house districts, congressional districts, county commissioner districts and Republican state convention delegate districts. The solutions function for the counties of Coos, Grafton, Strafford and Rockingham doesn't work yet.

Rep. Lane asked if we will be able to review and examine the senate redistricting bills? Chairman Griffin responded that we don't know yet.

Rep. Wilhelm asked if the racial data from 2020 is included in the software? Mr. Anderson said it was not. Rep. Wilhelm also asked if Mr. Anderson was going to be available as a resource for the committee? The answer was yes. Mr. Anderson agreed to remain after the meeting was over and address individual committee member's questions.

A motion was made by Rep. Len Turcotte, seconded by Rep. Carol McGuire, to accept and use the 2020 census data. The motion passed, 15 – 0.

A second motion was made by Rep. McGuire, seconded by Rep. Turcotte, that we not cross county lines, make all communities in the districts contiguous and follow the state constitution. This motion also passed 15 – 0.

Rep. Bergeron reviewed the status of the cities. The City of Franklin wants to be treated as a single legislative district. They won't have their new ward lines drawn before we finish our work. Claremont didn't redistrict last time and they have no plans to redistrict this time. Somersworth will be redistricting by referendum and the committee for that purpose hasn't been appointed yet. Dover and Keene want to amend their charters and they need to do so in their municipal elections this year. The State will have to weigh in on those efforts. Portsmouth's ward lines are drawn by state law.

Chairman Griffin proceeded to review the dates, times and locations at which hearings in all ten counties were held ten years ago. She described the gatherings we would be conducting this time as "listening sessions" and observed that many of the gatherings ten years ago were held in county nursing homes. Given the ongoing problems with COVID – 19, these venues are likely not going to be an option this time. Rep. Marjorie Smith asked why they were being referred to as listening sessions, as opposed to public hearings and asked what the difference was. Chairman Griffin explained that a public hearing usually only addressed a single piece of legislation and we were considering several pieces of legislation during the redistricting process. Chairman Griffin also pointed out that all members don't need to attend all of the gatherings in the ten counties. Three to five members in each will be sufficient. One person will be designated to chair the meeting and one person will be designated as the clerk.

Rep. Marjorie Smith expressed concern that the importance of public input might be lessened, if we just call the gatherings listening sessions. Rep. Steve Shurtleff suggested that the gatherings be called "public listening sessions." Everyone seemed to think that would work well.

Rep. Wilhelm asked if there would be an opportunity for the public to review the maps after they were completed? Chairman Griffin said that there would be.

Rep. Lane asked if remote participation by the public was going to be allowed. Chairman Griffin said that there was not going to be remote participation. One reason for this was that some of the counties are very rural and it wouldn't be feasible. Rep. Lane indicated that some counties, such as Merrimack, would enable remote participation. Chairman Griffin responded that it would be inappropriate to provide some services in some areas of the state and not in others.

Rep. Turcotte asked if, by using the software, we were agreeing to the licensing agreement that went along with it? Chairman Griffin said that we were.

Chairman Griffin continued to review the counties and possible venues for public listening sessions. Various members of the committee were asked or volunteered to look for venues. Chairman Griffin said that public listening sessions should occur on Tuesdays, Wednesdays or

Thursdays and all ten should be completed by the middle of October. She also cautioned members that some venues could involve the payment of fees or the proof of insurance. She has been in touch with the Speaker's Office and there is a small budget for the sessions. Hopefully, given the nature of our work, fees will generally be waived. Rep. Lane suggested that those approaching the venues make sure that they are handicap accessible. Chairman Griffin said that once the dates, times and locations of the public listening sessions have been finalized, they will be posted on the General Court Website. Rep. Lane asked if those approaching the venues should ask for one date or two (dates for before the maps are done and after the maps are done)? Chairman Griffin said they should only ask for one date at this time. The second date is currently difficult to determine. Rep. Wilhelm asked when the public listening sessions will occur after the maps are drawn? Chairman Griffin responded that was unknown, but they will occur. The sessions should begin the week of September 13th. Chairman Griffin reminded everyone that our work needs to be completed by November 18th, in accordance with the House rules.

The next meeting of the full committee will occur at the call of the chair. Chairman Griffin reminded committee members that Mr. Anderson will be available after the meeting for questions and further discussion.

The meeting was adjourned at 12:07 PM.

Respectfully Submitted,

Rep. Wayne D. MacDonald, Clerk