Exhibit 5

Rep. Griffin: **[No dictation] [00:00:00 - 03:07:45]** That would be, turn on your microphone, Representative Griffin. Okay. We all set now? I know they were in checking the sound earlier. Is it sounding, there were complaints that I couldn't be heard, which I find it hard to believe anybody's complaining about, but apparently that happened this morning. Right. Okay. Great. Good afternoon, everybody. Today, we are reconvening the November 16th Special Committee on Redistricting of the House of Representatives of New Hampshire Meeting scheduled to address the bills in our executive session.

The meeting was begun at 10:00 and recessed until 1:00 and I wanna thank everybody on the committee, as to their indulgence with that change in start time. It became necessary so we could be sure that everybody would actually have copies of any amendments that members wished the committee to address in connection with the bills we are looking at today. An agenda has been posted as to what we will be looking at. And for your information, all of the amendments that we are considering today, have been posted online.

So, in continuing to try to make this process as transparent as possible, I suspect there might be an amendment or two that not all members have even looked at, at this point in time. But we have an able group here and will be able to get through our business. Before we begin that business, I would ask that you rise and join me in a pledge of allegiance.

Chamber: I pledge allegiance to the flag, of the United States of America. And to the Republic, for which it stands, one nation under god, indivisible, with liberty and justice for all.

Rep. Griffin: I'm watching. Oh, pretty good. All right, so today we are doing our voting, in what we call an executive session here in the house on the redistricting bills that're before the committee. The bills that we are considering and the order in which we are considering them in is HB-51, in regards to the state senate. HB-53, in regards to the executive council. HB-55, in regards to delegates to the state convention. HB-54, in regards to the county commissioner. HB-52, in regards to congressional districts. And HB-50 in regard to state representatives. As I stated earlier, we are starting a little late. We are going to assess where we are, committee, at about 4:00, as to how far we've gotten and what we wanna use for time.

We have scheduled a session for tomorrow to make sure we have sufficient time to address everything that we need to address. The amendments, for people who are listening, amendments are proposed by committee members, and they are sent to our office of legislative services for drafting and I will take ownership of one of the initial delays in the preparation of the paperwork. Your chair found an email address to OLS that no one knew existed. And proposed amendments were sent there, and your chair didn't understand why she wasn't getting anything back. And we had a little ruckus here for a while, and that's what happened to some of our amendments.

So, we've learned all sorts of new things as we chart course here, but we have everything that I think the committee needs to proceed. Having said that, the first bill that we will address is HB-51, which is a portioning of state senate districts. Is there a motion in regards to HB-51? Representative McGuire.

Rep. McGuire: Thank you, Madame Chair. I move interim study.

Rep. Griffin: Is there a second?

Rep. Turcotte: Second, Madame Chair.

Rep. Griffin: Representative McGuire moves, Representative Turcotte seconds, interim study on the state senate. And I will note that Senator Gray, from the senate chair of their redistricting commission is here with us today. Representative McGuire, would you like to speak to your motion?

Rep. McGuire: Yes, thank you Madame Chair. The house doesn't reset the senate district, traditionally that's their job. So, we don't need to send it off to the senate because they already have a senate bill, which they will use for that purpose. And this bill would simply be killed or tabled in the senate. We don't want to kill it here because if we do, that'll create an administrative issue we can easily prevent by not killing it. And if you have it, just in case there's a major attack of madness in the senate and they don't pass a redistricting bill or it doesn't meet the minimum requirements, we could use this in an emergency to do so. Because if we interim study, it will be kept in the possession of this committee.

Rep. Griffin: Is there any further discussion on HB-51? I'm not seeing any, so I'm going to ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: Yes.

Rep. MacDonald: Representative Carol McGuire.

Rep. McGuire: Yes.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: Yes.

Rep. MacDonald: Representative MacDonald votes yes. Representative Lynn.

Rep. Lynn: Yes.

Rep. MacDonald: Representative Berry.

Rep. Berry: Yes.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: Yes.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Paul Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Connie Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: The vote is unanimous, 15 to zero.

Rep. Griffin: Not until I vote.

Rep. MacDonald: Oh, I'm sorry. Representative Griffin. Sorry.

Rep. Griffin: Yes.

Rep. MacDonald: Sorry.

Rep. Griffin: Okay. The next bill before this committee for consideration is HB-53, in regards to portioning executive council districts. Is there a motion, Representative Lynn.

Rep. Lynn: Yes, Madame Chair. I move that HB-53 also be referred to interim study.

Rep. Griffin: Is there a second?

Rep. Berry: Yes, Madame Chairman. I second Representative Lynn's motion.

Rep. Griffin: Representative Berry, thank you. Is there discussion to the motion, Representative Lynn?

Rep. Lynn: Yes. Thank you, Madame Chair. Basically, for the same reasons that were referred to by Representative McGuire with respect to the senate reapportionment. That's the reason for requesting interim study on this bill, pursuant to the understanding that was agreed to between the house and the senate. It's my understanding that the senate is to take the lead on the reapportionment of the

executive council districts. And so, this is a vehicle that allows that to happen and once the senate has completed its work, it will then come over to the house and we will then act on it.

Rep. Griffin: Thank you. Is there any further discussion on this? Seeing none, I'm going to ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: Yes.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: Yes.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: Yes.

Rep. MacDonald: Representative MacDonald votes yes. Representative Lynn.

Rep. Lynn: Yes.

Rep. MacDonald: Representative Berry.

Rep. Berry: Yes.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: Yes.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: Yes.

Rep. MacDonald: Unanimous, Madame Chairman.

Rep. Griffin: Thank you. The next bill to be considered this morning is HB-55. That bill is in regards to the apportionment of delegates to the state party convention. For committee members, we have tried to put the amendments in the order of consideration. Is there a motion in regards to an amendment to HB-55, the chair recognizes Representative MacDonald.

Rep. MacDonald: Yes, Madame Chairman. I would like to move the amendment ought to pass.

Rep. Griffin: And that would be Amendment 2021-2247?

Rep. MacDonald: That's correct, Madame Chairman.

Rep. Griffin: Thank you, is there a second?

Rep. S. Smith: Yes.

Rep. Griffin: Representative Steven Smith seconds it. Representative MacDonald, would you like to speak to your motion?

Rep. MacDonald: Yes, I would Madame Chairman, thank you. The position of delegate to the state convention affords people who lack the time or money to run for public office to be involved in the political process. Collecting delegates on a public primary ballot makes the process an open one and maximizes participation. However, when delegates are elected on a public ballot, they should also be apportioned by the standard of one person, one vote, just as any other election in the state primary is held to that standard. Accordingly, this amendment provides that state convention delegates will be elected by state representative districts, which conform to that principal.

Rep. Griffin: Is there any further discussion on the amendment? The amendment, committee members will note, also because of what it's proposing to do, substantially shortens the bill. In that it will just reference the apportionment in the state rep statute, instead of containing it within the bounds of 662:6. I'm not sure saving that amount of paper is gonna make up for what we did in this committee, but it's something. Any further discussion on the amendment? Representative Marjorie Smith.

Rep. M. Smith: **[Inaudible] [03:18:33]** Chair. Thank you **[inaudible]**.

Rep. Griffin: No? Red down. Push the red one down.

Rep. M. Smith: I tried. Oh, I'm on now? I'm sorry. Madame Chair, I listened with interest to what has been said about House Bill 55. I personally do not understand why something having to do with a political party, one political party comes before the redistricting committee. I would think this should be handled within the political party. But I understand that as things are now, it is here. I will certainly vote to support what those of you who are affected by this want to have happen. But I would hope that as soon as it's possible, the procedure for delegates to state convention be handled within the party and not within the legislature. Thank you.

Rep. Griffin: Thank you for those comments. Representative Steve Smith.

Rep. S. Smith: Thank you, Madame Chair. I agree that it's weird that it's in the statute. None the less, it is. The apportionment for state delegates is currently contained in RSA-662. And the scope of this committee's work is to determine apportionment, not the underlying policy.

And for that reason, I support Representative MacDonald's amendment.

Rep. Griffin: Representative McGuire.

Rep. McGuire: Thank you, Madame Chair. This amendment also has the advantage that it will not require redefinition after further census. So, this should never come before this committee again. It can go to a policy committee if necessary. But we have defined the delegate districts such that they will always be proportional, by making them equal to state representative districts.

Rep. Griffin: Thank you. Any further discussion, we have on the floor Amendment 2021-2247. I'm seeing none, I'm going to ask the clerk to call the roll.

Rep. MacDonald: Thank you, Madame Chairman. Representative Steven Smith.

Rep. S. Smith: Yes.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: Yes.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: Yes.

Rep. MacDonald: Representative MacDonald votes yes. Representative Lynn.

Rep. Lynn: Yes.

Rep. MacDonald: Representative Berry.

Rep. Berry: Yes.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: Yes.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane. Did you say yes, I'm sorry.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: Yes.

Rep. MacDonald: Fifteen to zero, Madame Chairman.

Rep. Griffin: Thank you, the amendment to HB-55 has been passed. Is there a motion?

Rep. MacDonald: Yes, Madame Chairman. I would like to move that HB-55, my motion would be, ought to pass as amended.

Rep. Griffin: Is there a second?

Rep. S. Smith: Yes.

Rep. Griffin: Representative Steven Smith seconds the motion. Is there any further discussion on the amendment on the floor, which is OTPA HB-55, Amendment 4247? Seeing none, I'm gonna ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: Yes.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: Yes.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: Yes.

Rep. MacDonald: Representative MacDonald votes yes. Representative Lynn.

Rep. Lynn: Yes.

Rep. MacDonald: Representative Berry.

Rep. Berry: Yes.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: Yes.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: Yes.

Rep. MacDonald: Fifteen to zero, Madame Chairman.

Rep. Griffin: Thank you. This is a piece of cake, everybody, huh? No issues. Okay. The next bill before this committee is HB-54, this is portioning county commissioner districts. There is an amendment that committee members have, which is Amendment 2021-2273. I would point out that members have been provided with a set of maps that has handwriting porter on it, which should have been whited out in the copy, but we do the best we can, when we can get it.

And these printouts of the maps, the maps only correspond to the language in HB-54. And that's been just provided for committee members, assistants. We all have maps as proposed from our session, approximately two weeks ago. So, HB-54 is now before the committee. Do I have a motion in regards to any amendments for HB-54. Representative McGuire.

Rep. McGuire: Thank you, Madame Chair. I move Amendment 2273 to House Bill 54.

Rep. Griffin: Is there a second?

Representative: I second.

Rep. Griffin: Representative McGuire, would you like to speak to your motion?

Rep. McGuire: Yes, thank you. This amendment has the commissioner districts for every county except for Strafford, where they don't have districts. And is based on the districts that were presented at the public hearing. Some with changes, due to comments at the public hearing or other maps that were presented to us. Namely, largely minority maps. And **[inaudible] [03:25:21]**. They are of course, with all districts contiguous, all the populations are equal within a reasonable deviation. And they meet all constitutional requirements.

Rep. Griffin: Thank you. For purposes of the members here, some of whom I'm sure are trying to collate this information. Representative McGuire, could you indulge the chair and tell us whether the proposed Belknap map relates to the majority or minority map presented earlier in this committee's work.

Rep. McGuire: I believe that's the minority map.

Rep. Griffin: Thank you. And the proposed district for Carol, is that the majority or the minority?

Rep. McGuire: I believe that is also the minority map, as is the map for Sullivan, I think.

Rep. Griffin: Okay. And Cheshire, is that the majority or the minority?

Rep. McGuire: I believe that's the minority map.

Rep. Griffin: Actually, is Cheshire the minority? Yeah, I don't think so. Thank you, Representative Weber.

Rep. Weber: I'm a little bewildered because my understanding was that the Belknap map, which I'm not as familiar with was, I thought that there were two different ones, I didn't realize, is the minority map as presented completely unchanged from the current map?

Rep. Griffin: Yes.

Rep. Weber: Okay. Thank you, that's helpful. And my understanding is that the map that was, unless you have changed your minds, Cheshire was

very much reorganized from the majority, and I saw a map in here somewhere that had the reorganization.

Rep. Griffin: Right.

Rep. Weber: So, Cheshire is not a minority map.

Rep. Griffin: Correct.

Rep. Weber: Okay.

Rep. McGuire: I'm sorry, I misspoke.

Rep. Griffin: If Representative McGuire will indulge me, let me go through so that you have the packages in front of you and I'm just gonna compare them to what we had when we were before the committee to be sure. The amendment proposes what was the minority proposed map for Belknap County Commissioners. The amendment for Carol County Commissioners, proposes the majority lines. The amendment for the Cheshire Commissioner proposes the majority proposed lines. The Coos …skipped it. Which is on the back side, black and white, that was a whole other issue with emailing things last week. The Coos map as proposed, is the minority map.

The Grafton map, as proposed by the majority, is, let me just make sure, the minority map. And I'll simply point out, so people understand, the only difference between our maps as proposed was Ellsworth. So, the majority agreed with the minority's proposal and moved Ellsworth. Hillsborough is the proposed minority map from our earlier work. Merrimack is the proposed majority map from our earlier work. Rockingham is the proposed majority map. With a slight modification since then. Strafford, as we have already discussed, is not mapped. It's dealt with in the first sentence or two of the statute because they elect their commissioners at large.

And the Sullivan Commissioner Map proposed, I'm making sure your handout matches to what I have, is the minority proposed commissioner map.

Rep. Weber: Question of the chair.

Rep. Griffin: Hold on for one minute, I'm looking around. I've got you, Representative Weber. Representative Weber.

Rep. Weber: Thank you, Madame Chair. I just have a question of how we are to proceed. The changes in Belknap and Sullivan relive my mind considerably, but is it my understanding, I think this is what I understood from an email you sent around earlier. We will vote on the majority amendment first and then you will allow us to offer further amendment after that.

Rep. Griffin: That is correct and it's how I understand amendments have basically been prepared.

Rep. Weber: It is, I just wanted to be sure I was with the program, because we've juggled a lot lately.

Rep. Griffin: Yeah, we've all been juggling and if we had – I did consider, just so committee members know, at one point doing this county by county, but that would've resulted in at least nine more roll calls than needed and so, this seems to make more sense.

Rep. Weber: It's fine, I just wanted to be sure I was understanding correctly.

Rep. Griffin: So, that is the proposed amendment to HB-54. Representative Marjorie Smith, thank you.

Rep. M. Smith: Thank you, very much Madame Chair. I just want to confirm that I'm on the right page. According to my summary of what you have just presented, of the nine counties under consideration, with the elimination of my county, Strafford County. Five of the counties, Belknap, Coos, Grafton, Hillsborough and Sullivan. The Republican and the Democratic proposals are the same.

Rep. Griffin: So long as the Democrat proposals in the amendments before me are the same as what was presented at committee and brought to public hearing, that is correct.

Rep. M. Smith: Thank you, so that leaves Cheshire, Merrimack…

Rep. Griffin: Rockingham.

Rep. M. Smith: Rockingham as the –

Rep. Griffin: Carol. And Carol.

Rep. M. Smith: I'm sorry, and Carol County, I missed that one, as the four counties that we have basically some, to varying degree, some difference of opinion.

Rep. Griffin: Correct.

Rep. M. Smith: And that's where we would be focusing our discussion. Is that correct?

Rep. Griffin: That is what I understand the status of things to be at this time.

Rep. M. Smith: Thank you very much for that clarification.

Rep. Griffin: So again, the amendment before the committee is 2021-2273, as Representative Smith has just indicated, it presents a combination of commissioner maps that the committee has already reviewed, with a small change to Rockingham County. And some of this has to do with the fact that I think in one case, we had a map that we were missing a ward and then we realized it was the same as the minority map. So, in an effort to try and move as many things along in a bipartisan manner as possible, the amendment proposes using the maps proposed by essentially all committee members.

There might be some difference, just if you look at it in regards to the order of districts, depending on how yours was put together. The order of districts gets assigned by the program in the order you make the map. And we have tried to go through and correspond the districts within the commissioner, to the extent it's the current map with the current district. So that those commissioner districts for the counties will remain the same. Representative Weber.

Rep. Weber: I guess that, okay. I'm just looking at; I see that in the amendment as presented and I think you for that clarification. I'm just gonna say that although I very much appreciate the efforts to reach agreement that this amendment represents, because of its portrayal of Cheshire County and several of the other counties, I'm reluctantly unable to vote for it. So, I just wanted to state that up front.

Rep. Griffin: Could you just clarify, because of its what of the counties?

Rep. Weber: Because the way we have achieved a consensus on a number of the counties, but we have not achieved consensus on all of the counties. And in particular, my own county.

Rep. Griffin: I just thought I heard the word betrayal, so I just wanted to make sure.

Rep. Weber: No, I think it was portrayal was the word I used.

Rep. Griffin: Portrayal. See, that's why I asked.

Rep. Weber: But I'd already forgotten that. Anyway, I appreciate the effort, but I'm still not gonna be able to vote for it and thank you for the opportunity to explain that.

Rep. Griffin: You could vote for it because it's gonna eliminate the need to address five amendments. Just **[inaudible – crosstalk] [03:36:13]**.

[Crosstalk]

Rep. Weber: That would be dereliction of my duty and I try not to do that.

Rep. Griffin: All right, just a suggestion. All right, any further discussion on what is on the floor now, I understand the amendment is on the floor. It is Amendment 2021-2273. Representative Lane.

Rep. Lane: Thank you. I just have a procedural question and I think I got it, but I'm not sure. So, in light of what Representative Weber just said, again my county's Merrimack. You're adopting the majority. If I vote for this, I'm actually saying I vote for the Merrimack plan that the majority has put forward, which I don't. So, it means I have to vote against the entire bill.

Rep. Griffin: Well, or you could argue that you are in favor of the amendment because it gets closer to where you want to be, and it will then be opened up to further amendment. And then there will be a final motion, which will be OTP as amended. Which I suspect is where your real difficulty lies is passing the bill as amended containing majority maps.

Rep. Lane: Correct.

Rep. Griffin: So, I think you could argue that you're in favor of the amendment because it gets you closer to where you wanna be. I think we've had members on some of our committees who vote for amendments and then when it comes to the bill as amended, the vote is different.

Rep. Lane: You are correct, I was jumping ahead to the next vote, so I apologize.

Rep. Griffin: All right. Anybody else? The motion on the floor is Amendment 2021-2073 to HB-54. Seeing none, I'm going to ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: Yes.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: Yes.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: Yes.

Rep. MacDonald: Representative MacDonald votes yes. Representative Lynn.

Rep. Lynn: Yes.

Rep. MacDonald: Representative Berry.

Rep. Berry: Yes.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: Yes.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: No.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: No.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: Yes.

Rep. MacDonald: Okay, the vote is 13 to two.

Rep. Griffin: HB-54 has been amended and remains in front of the committee, open to further amendment. Is there anybody else who would like to offer an amendment to HB-54? Carol would come before Cheshire, so why don't we do them in that order?

Representative: That would be probably helpful for keeping track.

Rep. Griffin: Right. Okay, Representative Lane.

Rep. Lane: Yes. Thank you. Thank you, I would put forth an amendment to, sorry I've got a stack here.

Rep. Griffin: Is this for Carol County?

Rep. Lane: Yes, it is. Oh, good. Yeah, thanks. Yeah, it's Amendment 2021-2270H.

Rep. Griffin: For purposes of people with the packet, it is the last one.

Rep. Lane: Thank you.

Rep. Griffin: Representative Lane has moved 2021-2270, is there a second?

Rep. Weber: Second.

Rep. Griffin: Representative Weber has seconded that motion. Representative Lane, would you like to speak to your motion?

Rep. Lane: Yes, Madame Chair. The offered amendment is the minority map that was discussed earlier in the week. It basically offers no change to the existing commissioner districts, on the thought that the deviation and the population had not changed that much, so it was not necessary to make any changes in that county.

Rep. Griffin: Thank you. Is there further discussion on the amendment that's on the floor, the amendment is 2270. I'm not seeing any, so I'm going to ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: No.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: No.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: No.

Rep. MacDonald: Representative MacDonald votes no. Representative Lynn.

Rep. Lynn: No.

Rep. MacDonald: Representative Berry.

Rep. Berry: No.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: No.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: No.

Rep. MacDonald: Vote is eight to seven, Madame Chairman.

Rep. Griffin: Amendment 2270 fails on a vote of seven to eight.

Rep. MacDonald: Seven to eight, I'm sorry.

Rep. Griffin: Is there a further amendment to HB-54 as amended, Representative Weber.

Rep. Weber: Thank you, Madame Chair. I'd like to offer Amendment 2021-2269H, as it relates to Cheshire County.

Rep. Griffin: Second from the back, in the packet, as stapled. Is there a second to Representative Weber's motion?

Rep. Piedra: I'll second **[inaudible] [03:42:36]**.

Rep. Griffin: Representative Piedra seconds the motion. Would you like to speak to your motion Representative Weber?

Rep. Weber: Thank you. Yes, I would. What is represented in 2020-2269 is no change from the current district and in support of this motion, I would note that the, first of all, that the deviation on this map is 3.7 overall, it's minus 1.6, positive 2.1. Whereas the map contained in the amendment that was just voted, has a deviation of minus 3.5 to 4.0 for a total of 7.5, or twice the deviation of the existing map. I also point out that the existing map represents, with the exception of the City of Keene, and whatever is attached to it which is essentially the same.

The current map divides the county, basically north south, whereas the amendment we just voted on divides it east west. The north south orientation has over the last 10 years, resulted in competitive districts that've been held by both Republicans and Democrats within the course of the last 10 years. And therefore, I think is the most competitive alignment and also represents a closer, to the ideal. So, for those reasons, I would support this amendment.

Rep. Griffin: Is there anybody else who'd like to speak to the amendment? I'm not seeing any further discussion so I'm going to ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: No.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: No.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: No.

Rep. MacDonald: Representative MacDonald votes no. Representative Lynn.

Rep. Lynn: No.

Rep. MacDonald: Representative Berry.

Rep. Berry: No.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: No.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: No.

Rep. MacDonald: Vote is seven to eight.

Rep. Griffin: Amendment 2269 fails. The HB-54 remains on the floor, amended by 2273, is there a further amendment to HB-54, Representative Lane.

Rep. Lane: Yes, Madame Chair. I would like to propose Amendment 2021-2261H, relating to Merrimack County Commissioners.

Rep. Griffin: Is there a second to Representative Lane's motion?

Rep. Weber: I'll second.

Rep. Griffin: Representative Weber seconds it. Representative Lane, would you like to speak to your motion? It's about three in on the stapled package. For Merrimack County, we're talking about right? 2261. Okay.

Rep. Lane: Yes. The proposed minority map is what is being proposed in this amendment. It moves one town, Wilmot, from District 2 to District 3. So, it has much less change in the districts and what is included in the districts. And as with Cheshire, the orientation is changing. It's going more on a, sorry, got a good map right – more on a north, south orientation, rather than the existing east, west orientation. And I would propose the minority map is less disruptive and only moves one town. And we should adopt that.

Rep. Griffin: Thank you Representative Lane, would anybody else like to speak to the motion? I'm seeing no further indication of discussion, so I'm going to ask the clerk to call the roll. The amendment on the floor is 2261 to HB-54.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: No.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: No.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: No.

Rep. MacDonald: Representative MacDonald votes no. Representative Lynn.

Rep. Lynn: No.

Rep. MacDonald: Representative Berry.

Rep. Berry: No.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: No.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: No.

Rep. MacDonald: Vote is seven to eight.

Rep. Griffin: Amendment 2261 fails. HB-54 as amended by 2273 remains open for further amendment, is there a motion? Representative Simpson.

Rep. Simpson: Thank you, Madame Chair. I'd like to offer Amendment 2021-2266H.

Rep. Griffin: And this would be to Rockingham County?

Rep. Simpson: This is to Rockingham County.

Rep. Griffin: Is there a second to Representative Simpson's motion?

Rep. Bergeron: I will second.

Rep. Griffin: Representative Bergeron seconds the motion. Representative Simpson, would you like to speak to your motion?

Rep. Simpson: Yes. This map, as presented in this amendment is the same as the way the county commissioner districts are drawn now. There has not been much population change to the districts since the last time the maps were drawn. And this is also, if you have the map from the minority amendment last week, that's this amendment here.

Rep. Griffin: Thank you, is there any further discussion on the amendment on the floor, which is 2266? I'm seeing no further discussion. I wanna thank my clerk for today, it's gonna be a long one. I'm going to

ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: No.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: No.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: No.

Rep. MacDonald: Representative MacDonald votes no. Representative Lynn.

Rep. Lynn: No.

Rep. MacDonald: Representative Berry.

Rep. Berry: No.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: No.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: No.

Rep. MacDonald: Seven to eight.

Rep. Griffin: Amendment 2266 to HB-54 fails. Is there a further amendment to HB-54 as amended by 2273? Is that it, I haven't been keeping track. If you all just wanna check to make sure, is that it for your proposed amendments to it? Okay.

Representative: Yes, I had two others, but they were taken care of in the majority amendment. Thank you, ma'am.

Rep. Griffin: I was not keeping track of how many we were doing versus counties so, all right. Are there any further amendments to HB-54? HB-54 is before the committee now as amended by 2021-2273H. Is there any further discussion on the motion that is before the committee in regards to the amended HB-54? Representative Smith.

Rep. M. Smith: Thank you very much, Madame Chair. I can do a few things well and one of the things I can do is count, as long as there not too many individual counts that have to be taken. I only have 10 fingers and 10 toes. So, I know what the outcome is going to be. Regardless of what my Democratic colleagues and I do. When I look at this, at House Bill 54 as amended, I see that of the nine counties at issue, in five of the nine, the majority has supported the minority amendments. And that leaves four where there has not been an agreement.

I am not happy that our four amendments, which I think are superior to those that now stand in House Bill 54 as amended. I'm unhappy that our amendments have not been accepted, but I recognize that contrary to popular opinion, we don't live in a perfect world. And with five of the nine counties having versions in this amendment that are both the Democratic, and now the Republican version, I am going to support this bill acknowledging to myself and to the public, that it is not a perfect bill, but then rarely are these bills perfect.

Rep. Griffin: Thank you, Representative Smith. Is there any further discussion on the amendment on the floor which is, HB-54 as amended, 2021-2273. And actually, I apologize, there is not a motion on the floor. Representative Weber.

Rep. Weber: Do you wanna wait for a motion first?

Rep. Griffin: Yeah, why don't I do that. Is there a motion in regards to HB-54? Representative McGuire.

Rep. McGuire: Thank you, Madame Chair. I move, ought to pass with amendment.

Rep. Griffin: Thank you. Is there a second.

Representative: Yes, Madame Chair, I second that.

Rep. Griffin: Representative Weber.

Rep. Weber: Thank you, Madame Chair. I still am very concerned about the districts, the four districts where we were not able to reach consensus. And therefore, I am reluctantly going to vote against this plan.

Rep. Griffin: Thank you, Representative Weber. Any further discussion on the amendment? Representative Lane.

Rep. Lane: I think it would help me to get to where Representative Marjorie Smith is, if I better understood the reasoning behind the decisions for Carol, Merrimack, Cheshire. For the maps that're being proposed, what were the issues that made the majority favor those, rather than the minority maps. It would help me make a better

decision if I understood those.

Rep. Griffin: Representative Lane has addressed a question to fellow committee members. Does anyone feel a response or will the record as to the meeting last week. Representative McGuire.

Rep. McGuire: Yes, thank you, Madame Chair. I can only speak definitively to the Merrimack County map. But the map that we have approved attaches only one town to the City of Concord, rather than two. So, that makes it more compact and simpler. And the populations of the two districts are the same within seven people. So, it is as even as we could make it, to split the county into three parts.

Rep. Griffin: Further discussion, is that a hand? Representative Weber.

Rep. Weber: Yes. I'm gonna raise a further question when it comes to Cheshire County. You started by saying that the numbers of the districts were given in the first instance because of the way the maps were drawn and the order in which the maps were drawn. And there has been a renumbering since. But the further concern I have with respect to the County of Cheshire, is that as do I think some other counties, we elect one commissioner for a four-year term every three years, and that four-year term rotates through the districts. And last term, the four-year term was elected out of what was then District 1 and the commissioner resides in the Town of Walpole.

He was duly elected for a four-year term. From District 1. The Town of Walpole is now in District 3. And I am wondering if it is the intent of the author of the accepted amendment, that the duly elected commissioner, who has not moved and continues to live in the county. But is no longer in the same numbered district because of your renumbering. Does he lose his duly elected four-year seat, or does he keep his duly elected four-year seat?

Rep. Griffin: I believe those questions should be directed to the Secretary of State's Office. I believe the intent with the numbering was to try to keep Keene in the same district. I know that there were other counties who addressed a rotating election issue. I know in my county of Hillsborough County, we do not. I only know that because we received public comment, I believe on Rockingham at one of our hearings. But those questions in regards to elections can be addressed. Representative McGuire.

Rep. McGuire: Thank you, Madame Chair. If you look on Page 2, Part 2, which is Line 26, it says, no provision of this act shall be construed as effecting the constituencies or terms of office of county commissioners presently in office.

Rep. Weber: Thank you very much for the clarification, I appreciate it.

Rep. Griffin: And I think you will find that language consistent with other districting statutes that we are addressing.

Rep. Weber: I appreciate it, thank you.

Rep. Griffin: I do understand there were some complaints about name badges that had district numbers on them, that might have to change, but that really was not a concern of the committee. Is there any further discussion on the motion on the floor, which is HB-54, as amended by 2021-2273? Seeing none, I'm gonna ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: Yes.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: Yes.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: Yes.

Rep. MacDonald: Representative MacDonald votes yes. Representative Lynn.

Rep. Lynn: Yes.

Rep. MacDonald: Representative Berry.

Rep. Berry: Yes.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: Yes.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: No.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: No.

Rep. MacDonald: Representative Weber.

Rep. Weber: No.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: No.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: No.

Rep. Griffin: What about me?

Rep. MacDonald: Oh. Representative Griffin.

Rep. Griffin: Yes. Yes.

Rep. MacDonald: Ten to five.

Rep. Griffin: HB-54 has been amended by 2021-2273. I have no further amendments or action on HB-54, so we will move on to HB-52. HB-52 is the apportionment of congressional districts. You should have before you, Amendment 2021-2271. Along with another amendment in your pile. In regards to HB-52, is there a motion on any amendments to HB-52. Representative Berry.

Rep. Berry: Yes, Madame Chairman. I would move to adopt Amendment 2021-2271H for HB-52.

Rep. Griffin: Is there a second?

Rep. Lynn: Second.

Rep. Griffin: Representative Lynn seconds the motion. Would you like to speak to your motion, Representative Berry?

Rep. Berry: Yes. Thank you, Madame Chairman. This amendment is to propose the changing of the congressional district lines here in the State of New Hampshire. The proposed amendment meets all constitutional requirements of both the United States and the State of New Hampshire. The district is completely contiguous and has a population deviation of 88 in one and 89 in the other, because the total statewide population is an odd number, divide by two. And we spoke at length about this when it was introduced in, I guess our last meeting. And I represent the Manchester Wards 8, 9 and the Town of Lichfield. Manchester is in CD-1. Lichfield is in CD-2. Directly to the east of Lichfield is London Dairy, which is CD-1.

And directly to the west of Lichfield is the Town of Merrimack, which is in CD-1. I was elected to fight for my people. So, I did. And I brought Lichfield into CD-1 where it belongs. Then we looked down and we said, why can we bring the other communities adjacent to Lichfield into CD-1? You cannot bring Nashua in; the population of Nashua would throw the map all off. So, we brought in Windham, Hudson, Salem, Pelham, Atkinson. You have to backfill that. The current congressional districts are off by 9,000 people to begin with, so CD-1 already had to give to CD-2. You backfill that population with Rochester, Dover, Somersworth and Durham and excuse me, Portsmouth.

That is the rationale, one of the rationales behind this map. There was a notion out there that these maps are uncompetitive. It's just not true. When they made this allegation, I went, and I looked. What would be the election results in 2020 if these maps were in place. The generic Republican congressional candidate would've won by barely a percent. One percent. We know what the results of the current maps are. And there was a statement made in the last hearing about how these districts are competitive. And Madame

Chairman asked another member of the committee, what were the results of the current maps over the last 10 years, and no one knew the answers to it.

Or at least no one was willing to say it, but I will say it. One party, there have been five elections underneath the current maps, two congressional seats. That's 10 contests. Ten contests. One party has won 90% of the contests. So, I asked, when we started receiving emails about supporting or opposing maps, I know members of the committee asked some people what they liked about the majority maps. We also received emails against the maps, talking about competitiveness and fairness. So, I did the same thing that many of my colleagues on the other side of the aisle did. I asked, what is your standard for competitiveness and fairness.

No one was able to give me an answer because once you actually look under the hood of the current congressional maps, you realize they're not competitive. They're just not. They're objectively not. Ninety percent one party domination in a state, which Senator Hassan said on Sunday on WBMUR is a purple state. Having 90% of your congressional delegation be from one party over a decade is not competitive, it's not representative. So, the argument rings very hollow with me.

Rep. Griffin: Thank you, Representative Berry. Is there anybody else who would like to speak to the motion? Representative Lynn.

Rep. Lynn: Thank you, Madame Chair. We have heard a great deal about gerrymandering during the course of the various hearings we have held. I'd like to refer to Merriam Webster's Dictionary on what the definition of gerrymandering. It is, and I'm quoting, to divide or arrange a territorial unit into election districts in a way to give one political party an unfair advantage. So, let's see if what the majority proposes does that. We've heard a number of things during the course of the hearings. One of the frequent refrains is that voters should choose their representatives, not the other way around.

That's a great talking point, but it has no substance. Whether directly or indirectly through some kind of commission established by the legislatures, it is always the legislators who decide what

districts voters are assigned to. Voters never make that choice. Many whom we have heard from ask us to take account of communities of interest. But the only community of interest they don't want us to consider is political like-mindedness. Yet particularly considering that we are dividing up districts for voting purposes, political affinity would seem to be among the most important considerations.

Notably, in 2010, our democratic colleagues recognized that political similarities did constitute a community of interest. They then told the supreme court to define, and I'm quoting here, community of interest as quote, a group of people concentrated in a geographic area who share similar interests and priorities, whether social, cultural, ethnic, economic, religious or political. The reality is that Republicans and Democrats are not dispersed evenly throughout the state. For example, not only politically, but socially and culturally. The Portsmouth, Durham area has much more in common with Plymouth, Keene, Hanover and Concord than it does with Manchester, Salem or Derry.

Our proposal aligns political communities of interest much better than our Democratic friends' proposal does. And by the way, I must add that it's interesting that in the Democratic proposal, the one town that is changed under their proposal happens to be a solidly Republican town. Is that just a coincidence? One of the things that my colleague, Representative Berry has already referred to, the question of whether districts are competitive or not. As he points out, neither district is really competitive, but particularly CD-2. And the notion as Map-a-thon suggests, that a 10.4% Democratic advantage makes the district somehow competitive, I submit, cannot be taken seriously.

According to the Map-a-thon, the Map-a-thon analysis, the districts range from – excuse me, I'm sorry. Under our proposal, I should say, the District 1 becomes significantly more competitive. It goes from a 5.2% plus for the Democrats to 1.8% plus for Republicans. The other point I would make here is, how important is it for districts to be competitive? Well, the arguments that are made are, 1.) It forces candidates to the center. Well, I guess the question I would ask is, is this really true, given that we have a primary process, which on both sides of the aisle, frankly, does not drive candidates to the center.

For example, claims that Bernie Sanders couldn't win a national election did not prevent New Hampshire Democrats from giving him a victory in our presidential primary. More importantly, forcing to the center discourages reform and new ideas. In a sense, it is analogous to cancel culture, in that it says that debate is permitted only within a narrow range of acceptability, as determine by some nebulous standard established by the media or other elite forces not accountable to the citizenry. For example, would Ronald Reagan or Bernie Sanders ever have emerged as real political forces under the centrist candidates only formulation?

Remember the attacks on Reagan by both Democrats and more centrist Republicans? His views on foreign policy will quote, start World War 3 and his domestic policies are voodoo economics. Yet those policies brought about the collapse of the Soviet Union and one of our longest periods of sustained prosperity. Moreover, as Mr. McGuire explained at one of our hearings, having safe seats leads to seniority, which gives the congressman or congressperson greater political power, which works to the advantage of his or her state. So, what is the bottom line?

Our colleagues across the aisle basically assert that on a statewide basis, our congressional delegation should produce an allocation that matches the political breakdown of the state. They argue in effect that New Hampshire voters generally lean about 53% voting Democrat and 45% voting Republican. I'm not sure that I agree with that assessment, nor do I agree with their idea that a voter who's vote is equally weighted with that of every other voter under the one man, one vote principal, is somehow quote, disenfranchised because of the way other voters in his or her district may cast their ballots.

But for present purposes, let's assume that the Democrats' view is correct. What the Democrats and the Map-a-thon folks propose to do is to construct a congressional district so that both districts will be Democrat leaning, anywhere from roughly 4.5 to 10%. And what will be the result of their formulations? With 53% of the voters, Democrats will get 100% of the congressional seats. They will win both CD-1 and CD-2. Meaning that under their thesis, the 45% of the electorate that tends to vote Republican will be quote, disenfranchised, to use their term.

Under the Republican proposal by contrast, which aligns the districts more closely to the voter's leanings, the 53% Democrat versus 45% Republican breakdown will more likely, although not inevitably, yield a 50/50 split. One Democrat in CD-2 and one Republican in CD-1. Thus, under our formulation, three percent of Democratic voters will be disenfranchised. So, which is fairer? Disenfranchising the 45% of voters who lean Republican, or the three percent of voters who lean Democrat?

The answer I submit is obvious. In other words, is what our critics say is true, that what we are doing is creating one Republican and one Democratic seat, then by their very logic, more people will be represented by the candidate of their choice under our proposal than under the current maps or the Democratic proposal. If our critics really want a map that provides for actual representation, where the most people are voting for the candidate of their choice, who has a fair chance of winning, then our map accomplishes that goal.

One final point, to the extent our Democratic friends suggest that our proposal to the vote in each congressional district, that under our proposal, the vote in each congressional district will be a foregone conclusion and that candidates of the disfavored party will have no incentive to run for office. I submit this is a significant exaggeration. It is based on the notion that voters are automatons, who have no control over their own vote or their own destinies. But of course, nothing could be further from the truth. Perhaps the best example of this is the existing executive council districts.

The theory was, that Council District 2 would pack together all of the Democrats, so that while it would always yield a Democratic counselor, the other four council districts would always vote Republican. Yet as we saw in the 2018 election, that theory didn't hold. The executive council in that cycle consisted of three Democrats and two Republicans. Another more recent example is the 2020 election, in which the same state-wide electorate that elected Democratic senator, Jeanne Shaheen, also elected Republican Governor Chris Sununu.

In short, while based on past history, electoral districts may be inclined to lean toward one party or the other, the reality of the

outcome of any particular election is controlled by the individual voters, just as it should be. Thank you, Madame Chair.

Rep. Griffin: Thank you, Representative Lynn. Is there any further discussion of the amendment on the floor. Representative Marjorie Smith.

Rep. M. Smith: Thank you very much, Madame Chair. I apologize to the committee that I did not prepare a long-written statement and therefore, there is no possibility of my being as eloquent as my colleague was, just before I began speaking about the reasons for this particular amendment. I was surprised, perhaps, a little surprised to hear my colleague speak in great detail about exactly what it was that Democrats were thinking in how they proposed their amendment and also, their opposition to the Republican amendment. I do not have the clairvoyance that my colleague has, and therefore are not able to decide why certain people took one position while others took another position.

I can only speak from my very narrow perspective. As you are well aware, three times in the last three years, I proposed an independent redistricting commission. Twice, got as far as the governor's desk where he vetoed and third, I did not even get approval in the house. And I must say that I took that approach because, while I hope for the best always and hope that our better angels will govern our behavior, I like to prepare for the worst. I had no doubt in my mind that if the Democrats were in control, in 2020, that they would try to find a way to put their fingers on the scale to help Democratic causes.

And I understood that this was not something that is restricted from one party to another. But the independent redistricting commission issue has left the station. It's over and done with. So, we are here left with the situation as we find it. And while we are legislators and not doctors, I think it is still relevant to say first, let us do no harm. And then, go on from there. I have heard in the debates that we've had, in the last few weeks, about 538, an independent body that in 2018, developed maps, congressional maps for the entire country. And then went to the site. And as I found out, as you all would find out if you go to that site, that they drew maps using eight different standards.

One of the standards was, how would you construct congressional

districts in New Hampshire to benefit Republicans. And low and behold, when you look at that map, it is exactly the same map that our colleague presented to us here and that is before us now. Exactly the same map with that arc going again, from the Connecticut River to the Atlantic Ocean, and with a figure in the middle that to me, looks like a gentleman raising his fist. That's just the visuals that I see. And that was the map that should be drawn if what you wanted to do was favor Republicans. But that's not the whole story. Because if you then went to the next analysis, as what would the map look like if you wanted to favor Democrats.

Low and behold, it was exactly the same map. So, we have been talking up until now about the question as to whether this map favors Republicans. But in fact, if this map were presented in another context, our discussion should be, does this map favor Democrats. And I would say to you that the answer to both of those questions, is yes. And therefore, in good conscience, I cannot be part of supporting a map that pre-determines Republican or Democratic success. I would have preferred an independent redistricting commission; we do not have that.

What we have instead, is the fact that since the late 1800s, the map in New Hampshire, for the two congressional districts has been very roughly the same over the years. It wasn't until the 1970 map that we had to address issues of one man, one vote. Because it wasn't until then that the supreme court established those principals. In all those years, none the less, the map stayed the same and the point that must be emphasized is never, in that entire period, were the Democrats in charge of redistricting. In every decade, it was the Republicans in charge of redistricting. Ten years ago, in this state, under the then speaker who was a very forceful Republican advocate.

And where major changes were made in all kinds of ways that the government functioned. None the less, that redistricting committee and that legislature voted to basically keep the district lines the same. And not make any dramatic changes. This is the first time that a Republican controlled committee is proposing a dramatic change that instead of moving one town of 9,000 people, from one district to another, that would equalize the districts that began with an 18,000, roughly 18,000 where they were out of sync. And instead, the proposal we have before us, basically readjusts the

district for about 25% of the citizens of the state, 360,000, something like that, in 75 cities and towns.

Those are dramatic changes. And there ought to be a dramatic reason to make those changes. I do not think that adopting an alternative that would be the alternative, if you wanted to guarantee that Democrats would win in one district and Republicans in another, without very much of a fair fight. I don't think that that is a solution that should be applied to a situation which is not in crisis, and which has been supported consistently by the majority in the legislature in every decennial census.

So, Madame Chair, I very, very hopefully ask all of my colleagues to think carefully about what they are proposing here and whether this dramatic change is necessary and appropriate and part of carrying out our obligation to all of the citizens of the state. Thank you.

Rep. Griffin: Thank you, Representative Marjorie Smith. Is there anybody else who wishes to speak to the motion on the floor, which is Amendment 2271 to HB-52. Representative Steven Smith.

Rep. S. Smith: Thank you, Madame Chair. I want dramatic change. I live in CD-2, and I've been doing this for a decade and a half, not in the house but involved in politics. I'm tired of CD-1 being neat and tidy and then the district that I live in, CD-2, having Nashua, Colebrook, the Connecticut River towns included, doesn't make any sense. It's about time that that dynamic got changed, just because we've always done it before, that's never a good reason to keep doing something. So, maybe this way, CD-1 will say wow, we're inconvenienced too.

Maybe 10 years from now, we can get together and find an even better solution. But until we break the stranglehold on the status quo, and a CD-2 that frankly supports incumbency because there are too many places to go, it isn't gonna get better. So, for that reason, I want the dramatic change. I also wanna address what I think might be a bit of hubris in the room on both sides. Guaranteed outcomes. That isn't gonna happen. Nobody here, especially me, is smart enough to come up with a plan to do that and I say that because in 2007, my role was to recruit candidates to run for the state house. And there was one district in my county, I

couldn't get anybody to run for.

You know why? Impossible. Double digit Democrat advantage, there's no way any Republican's gonna get elected in that town. When I failed to recruit anybody, the people I talked to said well, you're the one running your mouth, why don't you do it. Hard to back away from that, and now I'm in my sixth term, in a district that was guaranteed to be a Democrat. Nobody here's gonna guarantee anything, especially when populations shift, attitudes change. We don't know what brilliant candidate my show up on either side that will change people's minds, because undeclared voters decide our elections. Not Republicans and not Democrats.

So, I can support this congressional plan because it's a dramatic change that breaks our stranglehold on the status quo, which I guess if you're in CD-1 is okay, but it isn't doing us CD-1 people any favors. And that I know personally that there's no such thing as a guarantee. No guaranteed outcome. That's all I have, Madame Chair.

Rep. Griffin: Thank you, is there further discussion by committee members in regards to the matter on the floor? Representative Bergeron.

Rep. Bergeron: Thank you, Madame Chair. When the first speaker was addressing the amendment, he asked a rhetorical question, why not bring in the towns of Hudson and Windham and Lichfield and Pelham if he was bringing Lichfield into the district. Immediately, my question was, well why? I don't wanna know why not, I wanted to know why. And the second speaker rather answered that and indicated that the decision was made to align residents who had common political leanings. I didn't hear mentions of any other types of communities of interest. There's geographical features, tourism, industry, commerce, shared political boundaries, shared services. It just seemed to be driven by the residents' political leanings.

The little creature that's now going to be imbedded in the State of New Hampshire, I had asked people on my Twitter account to try and describe what they thought it was. I hadn't heard the one about a fist. But I did hear one about a beggar's cup, being right inside of the state's boundaries. When the term gerrymandering came around, because a similar district was created, not the similar shape, was created to align people with common political leanings

and it looked like a salamander or a dragon, hence the term gerrymandering was created.

I don't know what this little beggar boy with the cup is going to ultimately be called, but it's going to become a symbol for gerrymandering, a 21st Century symbol for gerrymandering and I don't think that's a significant reason to create that figure as a congressional district in the state of New Hampshire. And I will be opposing the motion to amend, as presented thus far.

Rep. Griffin: Is there any further discussion on the amendment on the floor. Representative Berry.

Rep. Berry: Yes, to address Representative Bergeron's statement about this becoming, in the history books. Respectfully, Representative. I look at the State of Illinois, I look at Maryland, I look at Massachusetts, what's currently happening there. This district is far more compact than anything Democrats have done in other states. Anything. It just is. I'm happy to compare them. I find it very telling with this, I followed this process now my entire life. And I look at and remember when we did the public input session. The ACLU spoke and they made a lot of references, and they never made a constitutional argument against the proposed map.

And then I looked at what the ACLU was saying in other states. The ACLU attacks Ohio, North Carolina, Texas, but is silent on California and New York, and Illinois. So, it just all rings hollow at this point. It just rings hollow. If we're gonna hold up examples of bad, aggressive gerrymandering, they're gonna look at Illinois first, where Governor Pritzker ran, promising an independent redistricting commission. Then he immediately flip-flops. Says nope, not gonna use that. Then when your independent redistricting commission was going to kick in because the data was delayed, they used American Survey data, illegal data, to pass illegal maps.

That by the way, many minority groups began to sue over. All to avoid a quote, unquote, independent redistricting commission. So that they could draw the maps. It's just, respectfully Representative Bergeron, it just rings hollow. If they're gonna hold this up as an example, I would bet my bottom dollar, they're looking at Illinoi first.

Rep. Griffin: Is there further discussion on the amendment, which is before the committee. Representative Weber.

Rep. Weber: I just wish to state that this is not any of those other states. This is New Hampshire and we are legislating for the people of New Hampshire, without reference to what happens in any other state. And I am stating that because it's what I hear an awful lot in committee sessions about many, many different issues. But it is most important when it comes to redistricting. Thank you.

Rep. Griffin: From the representative who reminded me first that New Hampshire is either first or last on most issues and we try to deal with things in our New Hampshire way. I'll just say that I actually asked a couple people about these two maps, and I got a stronger reaction against the current map than the proposed map before this committee today. So, as in many things, it is in the eye of the beholder, what looks more appropriate and I will say, I showed those maps without telling people what they were when. I would also point out, because there was some question about relation. These maps meet constitutional requirements. They meet them.

And then we have choices as to proceed, which the voters have in a sense done that by the elections that just occurred here in this state. I will point out that for me, one thing that I am happy with the proposed CD map lines, that I will be voting in favor as to the amendment is, I have been on a regional planning commission for many years in my area.

It brings more of those towns together and the lower part of the 93 Corridor has been a major issue for federal funding and expansion, that we've had a lot of difficulties with, and this is a state with a lot of different characteristics, and I suspect we can all put our thumb on a map of the state and find something within it that would bind it together or not make it cohesive at all. So, I know that this map as proposed meets the constitutional requirements and I think it's a better, fair map. So, I will be voting in favor of it. Is there further discussion on the amendment on the floor. Representative Lane.

Rep. Lane: Thank you, Madame Chair, I'll be brief since a lot of what I'm gonna say has already been said. I would point out that representing your constituents means giving them a fair map, as fair as possible. It means having the courage, as much as possible,

to put politics aside and give people a fair map. A map that has a chance to elect someone from either party.

This map undermines voter confidence. It moves 25% of New Hampshire's population to create one safe seat for Republicans. As promised by the head of the party earlier this year. We all have a constitutional duty to honor the underpinnings of our democracy, which is one person, one vote. This map as proposed does not do that and violates that promise.

Rep. Griffin: Thank you, Representative Lane. Is there any further comment on the motion before the floor, which is Amendment 2021-2271 to HB-52. Representative Simpson. I'm sorry, Representative Simpson.

Rep. Simpson: Thank you, Madame Chair. I'll be brief and I'm sorry to repeat myself from a couple of weeks ago. I just wanna note that I reside in the Sea Coast community, and it will be inconvenient if this map passes, and the Sea Coast is broken up into two different congressional districts. The Sea Coast shares a lot in common, socially and economically especially. So, I wanted to note that again. And then also, to say that I want another word for backfill, Representative Berry. I trust that the public servant elected to CD-2 in the next 10 years will not treat anyone in their district as backfill but will represent whomever they are given by the maps that we vote in today. Thank you.

Rep. Griffin: Thank you. Any further comment from committee members on the amendment, which is on the floor. Seeing none, I'm going to ask the clerk to call the roll. The vote is on Amendment 2021-2271H.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: Yes.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: Yes.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: Yes.

Rep. MacDonald: Representative MacDonald votes yes. Representative Lynn.

Rep. Lynn: Yes.

Rep. MacDonald: Representative Berry.

Rep. Berry: Yes.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: Yes.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: No.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: No.

Rep. MacDonald: Representative Lane.

Rep. Lane: No.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: No.

Rep. MacDonald: Representative Weber.

Rep. Weber: No.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: No.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: No.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: Yes.

Rep. MacDonald: Vote is eight to seven, Madame Chairman.

Rep. Griffin: HB-52 is on the floor as amended and is open for further amendment. Is there a motion. Representative Marjorie Smith.

Rep. M. Smith: Yes, thank you Madame Chair. I move Amendment 2021-22 –

Rep. Griffin: Do you have your red thing pushed in? It's your microphone.

Rep. M. Smith: Oh, is that better?

Rep. Griffin: There you go.

Rep. M. Smith: Sorry about that. I move Amendment 2021-2245H to House Bill 52.

Rep. Griffin: Is there a second?

Rep. Weber: Second.

Rep. Griffin: Representative Weber seconds the motion, Representative Smith, would you like to speak to your motion?

Rep. M. Smith: I would like to speak to my motion. On the basic principal that if at first, you don't succeed, try, try again. On that principal, I present to you an amendment that keeps the district lines roughly the way they have been in this state for time in memorial, with one very small change in which one town of 9,000 people moves from District 1 to District 2 in order to end up with two very close districts in terms of population. I believe that this is a proposal that makes a great deal of sense and makes it somewhat clear among other things to our constituents as to where they are and where they will be.

I will just say one other thing, last summer, before the Census Bureau released the figures, I was told by a member of the senate staff, in this state, that they, he, was going to make sure that there was a district drawn which had Durham, Hanover, Plymouth and Keene in it. And I laughed, I thought it was a joke. I thought it was really quite amusing and I did not see it as an indication of the

importance that my colleague gave to higher education. Which was why he suggested those towns. In fact, I shouldn't have laughed because that is what we have before us now. That was, as I say, last July, so certainly not a new idea.

But I again, say to you, that I hope that you will reconsider your vote on the first amendment and recognize the value of continuity in a state which is in fact a purple state, in many ways. I give you the governor, the house, the senate, the congressional delegation. And recognize that this proposal makes it possible for Republicans and independents and Democrats in each of the two districts to have a solid chance to be represented. And since as a member of the 1st Congressional District, I know that we have had Democratic representatives and Republican representatives in recent years helping to reassert the value of a purple district.

And my last point is, in my earlier conversation, I alluded to the fact that if the Democrats were in control, they might very well have come up with the same map and I would've opposed it by saying to my Democratic colleagues, why would you settle for the possibility of one seat? Don't you have enough competence and faith in your arguments that you might really win two seats? So, half a loaf in this case is not better than none and I urge you to support, well let me put it this way, a guarantee of half a loaf is not better than a chance that you might get a whole loaf. And on that basis, I ask you to support Amendment 2245.

Rep. Griffin: Thank you. The amendment is on the floor, is there anybody else that wishes to speak to the motion? I'm seeing none, so I'm going to ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: No.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: No.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: No.

Rep. MacDonald: Representative MacDonald votes no. Representative Lynn.

Rep. Lynn: No.

Rep. MacDonald: Representative Berry.

Rep. Berry: No.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: No.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: No.

Rep. MacDonald: The vote is eight to seven, Madame Chairman.

Rep. Griffin: The vote is seven to eight, the motion fails. Is there any further amendment for HB-52 for consideration by the committee? I'm seeing none, I have none. Accordingly, we have on the floor HB-52 as amended by 2021-2271. Is there a motion.

Rep. Lynn: Yes.

Rep. Griffin: Representative Lynn.

Rep. Lynn: I move ought to pass for HB-42, as amended by Amendment 2021-2271.

Rep. Griffin: Is there a second.

Representative: I second that, Madame Chairman.

Rep. Griffin: The motion has been seconded, is there any further discussion on the motion on the floor, which is HB-52 as ought to pass as amended by 2021-2271? Seeing no further discussion, I'm going to ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: Yes.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: Yes.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: Yes.

Rep. MacDonald: Representative MacDonald votes yes. Representative Lynn.

Rep. Lynn: Yes.

Rep. MacDonald: Representative Berry.

Rep. Berry: Yes.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: Yes.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: No.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: No.

Rep. MacDonald: Representative Lane.

Rep. Lane: No.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: No.

Rep. MacDonald: Representative Weber.

Rep. Weber: No.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: No.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: No.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: Yes.

Rep. MacDonald: Motion passes, eight to seven.

Rep. M. Smith: Madame Chair.

Rep. Griffin: Representative Smith.

Rep. M. Smith: Madame Chair, there will be a minority report and it will be, ought to pass as amended.

Rep. Griffin: Thank you. The next item to take up will be HB-50, that will be the state representative districts. We are going to take a short break. We will be back at 10 of, by my clock and it is 2:41 now, so that's nine minutes according to my digital guide.

Rep. M. Smith: Madame Chair, there will also, in all likelihood, be a minority report on the commissioners. When do you need those by?

Rep. Griffin: Well, reports are due out this week.

Rep. M. Smith: Okay. Got it.

Rep. Griffin: So, what's today, Tuesday? So really, by the end of tomorrow to make sure that I can get to them and get them to the clerk's office.

Rep. M. Smith: Okay. Well, they're not gonna be acted on until next year.

Rep. Griffin: I had this discussion with the clerk about when my committee reports had to get out.

Rep. M. Smith: Okay. Enough said.

Rep. Griffin: And he told me it was Thursday, and I didn't – **[No dictation] [04:47:26 - 04:57:03]** a motion. Representative McGuire.

Rep. McGuire: Thank you, Madame Chair. I move Amendment 2274H to House Bill 50.

Rep. Griffin: Is there a second?

Representative: Second, Madame Chair.

Rep. Griffin: Thank you. Representative McGuire, before I ask you to speak to your vote, I wanna say this because I will forget it at the end. These bills have many districts. We have attempted, OLS has attempted to compile these based on the information provided. I know that information that OLS got for at least the majority

amendments was directly off the mapping program that we used, which then requires them to go by town and put it into counties. The reason I'm saying that is, and I have passed out maps for what we are voting on is because I think without looking at the specifics of the actual bill language, it is fairly clear what we have intended to vote on.

So, if anyone is looking at one of these bills and finds either something is not, as I did in one, not quite in alphabetical or there is some minor change that does not affect the substance of what we voted, can you please let me know because I will have a conversation with staff and the clerk as to whether or not it was an inadvertent error that can be corrected just in the course of the bill processing. So, that we don't have to deal with any changes, and I say that because these amendments were flying around pretty late, as is quite often in communities.

And this is a little more complicated than just reading sentences out loud to each other, there's a lot of districts and numbers. So, I'm just saying that for everybody to keep in mind, because I know when we're done, you're all gonna wanna go home and read all of these again, to go over what we did. So, thank you for your indulgence, Representative McGuire, if you'd like to speak to your motion.

Rep. McGuire: Thank you, Madame Chair. The process we used is that these maps meet federal and state constitutional criteria. The first step was to agree on 400 representatives and then allocate them to the counties. And that was done by unanimous committee vote. We used the component method of computation, which was used 10 years ago and has been approved by our supreme court. This amendments represents districts within counties which are created meeting the usual definition of reasonable deviation, which is 10%. All districts are contiguous. No town or ward boundaries were broken. All towns are in a non-floterial district, and some have a floterial, in order to meet the representation required.

As we voted by committee, unanimously, they assumed that the cities will draw their ward lines, so all wards have equal population. Which is also necessary for fair city elections. Where possible and practical, we created single town districts, when it would not deprive another town of its fair representation. Where

possible and practical, we kept cities within their boundaries, not sharing districts with adjoining town. This does contain revisions to the maps we presented to the public last week. These changes were based on public comment. Other maps submitted to the committee for consideration in our continued attempts to draw better maps. Thank you.

Rep. Griffin: Thank you, Representative McGuire. For committee members, the packet of maps in front of you that says Belknap at the bottom left hand, that is indeed Belknap, but you might wanna mark these as being consistent with Amendment 2021-2274, the amendment that you have before you. Is there further discussion on the amendment? Representative Piedra.

Rep. Piedra: Thank you, Madame Chair. I have a specific question about Coos County, just because that is the county that I presented at a working session. If I am understanding correctly, the same map has been presented in this amendment, as was presented by the majority at the working session. There's one municipality in Coos that is entitled to its own district under the constitution, the New Hampshire Constitution, which is Berlin. The minority map maintains Berlin as its own district. The majority map does not. The two maps have the exact same deviation ranges. One complies with the New Hampshire constitution, one does not. How is that permissible?

Rep. Griffin: Thank you Representative for your question, does anybody wish to address that? Representative Turcotte.

Rep. Turcotte: Thank you, Madame Chair. Thanks for the question. Berlin is the only town within Coos that exceeds the 3444 ideal number, if you will. There are multiple instances within other counties where the minority's maps have failed to accomplish what you're asking for here. On our map, we decided that it was best to pair Berlin with Jefferson and avoid a large floterial that was on the minority's map. So, just like in many other counties, there were tradeoffs. There are always tradeoffs in these maps, anybody who's spent any time drawing these maps know that there is no perfect solution.

In fact, I recall somebody on the minority side at the very beginning of this process, says there are no perfect solutions and

that indeed is the case. So, in Coos, what it comes down to is really, the tradeoffs and what each party decides. Thank you.

Rep. Piedras: Follow up, Madame Chair?

Rep. Griffin: Follow up.

Rep. Piedra: I'm really not trying to…

Rep. Griffin: I'll decide if you're doing whatever you think you're doing, so go ahead.

Rep. Piedra: Perhaps I'm misunderstanding something. Do you agree with me that the Republican majority map does not comply with the New Hampshire Constitution, but has the exact same deviation range as the minority map, which does comply with the New Hampshire Constitution?

Rep. Griffin: And I am gonna answer that question for you, as I am a sponsor on the amendment, and I do not agree with you. Next comment. Representative Lane.

Rep. Lane: I just didn't hear what you said.

Rep. Griffin: I said, I do not agree with him.

Rep. Piedra: So, follow up, Madame Chair?

Rep. Griffin: One more time and then we're gonna move on.

Rep. Piedra: I think it's an important point because as far as I know, if there are two maps that both have the same deviation range, that are both compliant with one person, one vote, we still have to follow the New Hampshire Constitution, we don't just get to throw it out because in other situations, we can't comply with it. If we can comply with it, it's not just a suggestion. We think a floterial is not as good of an idea for policy reasons. We have to comply with the New Hampshire Constitution. At least, that's my understanding. And so, I don't understand, maybe you could explain why it is your opinion, Madame Chair, the Republican map is constitutional.

Rep. Griffin: I consider that question asked and answered by Representative

Turcotte's response and perhaps you can go into your logic more because you might have an amendment for Coos County. Thank you. Further questions on the amendment before the committee. The amendment before the committee is an amendment to HB-50, 2021-2274. I'm not seeing any further questions, so I'm going to ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: Yes.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: Yes.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: Yes.

Rep. MacDonald: Representative MacDonald votes yes. Representative Lynn.

Rep. Lynn: Yes.

Rep. MacDonald: Representative Berry.

Rep. Berry: Yes.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: Yes.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: No.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: No.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: No.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: Yes.

Rep. MacDonald: Twelve to three, Madame Chairman.

Rep. Griffin: The vote on Amendment 2021-2274 was 12 to three, the amendment passes. HB-50 remains open for further committee amendment. Is there a motion, Representative Smith.

Rep. M. Smith: Could I ask a question first. There have been other amendments, which were prepared by OLS, and I was told, distributed to the committee and for the life of me, I can't find them in the sea of paper. For example, I submitted an amendment concerning Strafford County.

Rep. Griffin: No-no-no, I have a stack, let's make this clear, I have a stack of amendments, I have an amendment to HB-50 in front of me.

Representative: Madame Chair, there's a number of amendments in that package.

Rep. Griffin: That's what I thought, do you have that package? If you don't, let's figure out what the paper –

Rep. M. Smith: Ah, okay.

Rep. Griffin: The first one in the stapled packet, it's put together similar to how the county commissioners were. The first amendment should be Representative Bergeron and the amendment number is 2251. And the last amendment, the last page is an amendment by Representative Simpson, 2260.

Rep. M. Smith: Yeah. Like that. It was part way down that.

Rep. Griffin: I wanna make sure everybody's got it before we continue.

Rep. M. Smith: I guess.

Rep. Griffin: You don't have it, are there extra copies there, Christina?

Representative: It's part way down the packet we were given.

Rep. Simpson: Excuse me, Madame Chair.

Rep. Griffin: Let's just make sure everybody's got it.

Rep. Simpson: Excuse me.

Rep. Griffin: Oh, I'm sorry. Representative Simpson.

Rep. Simpson: Oh, no. That's fine. I did notice that Representative Lane and Representative Smith's are not part of the packet. They're separate, individual pieces of paper.

Rep. Griffin: Oh. I don't know, I saw them over on that table, I don't know whether I have them in front of me.

Rep. Simpson: It's 2243.

Rep. Griffin: No, they're separate, right?

Rep. Simpson: Yeah, they're separate.

Rep. Griffin: Because they were the last ones that came over from OLS.

Rep. Simpson: Exactly. Yeah. Yeah.

Rep. Griffin: Okay, I see.

Rep. Simpson: So, it's 2243 and 2275 that're separate from that packet.

Representative: Okay.

Rep. Griffin: Christina, I'm not sure I have, do other members have the two separate amendments from Lane? All right, let me look. Maybe. I have apparently gotten lost.

Rep. M. Smith: Thank you, Madame Chair.

Rep. Griffin: Their in a not order, but that's okay.

Rep. Bergeron: Madame Chair.

Rep. Griffin: Representative Bergeron.

Rep. Bergeron: Further question, now that we all seem to have our papers together.

Representative: I don't.

Rep. Bergeron: Will we be taking up these further amendments in numerical order, as they're stapled together, or in alphabetical order?

Rep. Griffin: I will leave that to you to decide how you would like to do it.

Rep. Bergeron: Okay. Thank you.

Rep. Griffin: It was easier to deal with on the county commissioners, I understand that. So, if you wanna take a moment to decide, that's fine. I found my two single amendments. The Smith and Lane ones. Do you have them?

Rep. M. Smith: I'd prefer alphabetical, but they're stapled in a different order.

Rep. Griffin: We can figure it out.

Rep. M. Smith: Let's do alphabetical.

Rep. Griffin: Can I assume that there is an amendment –

Rep. M. Smith: Alphabetical please, Madame Chair.

Rep. Griffin: Can I assume there's an amendment to every county?

Rep. M. Smith: I believe there's an amendment to all but one, perhaps.

Rep. Griffin: All right, so let's start –

Rep. M. Smith: Oh, no. I think there is one for every county.

Rep. Griffin: All right, so let's look for Belknap County, I believe that is the second page in this stapled packet, that would appear to be 2252, Representative Wilhelm. In an effort to help this along, would you like to make a motion?

Rep. Wilhelm: Madame Chair, I'm gonna waive off this amendment.

Rep. Griffin: Okay. Carol County would be the next county, alphabetically. Carol County is a few in. Representative Bergeron, would you like to make a motion?

Rep. Bergeron: Yes. Thank you, Madame Chair. I would like to move the passage of Amendment 2021-2256 to further amend House Bill 50 and I'd like to speak to that motion.

Rep. Griffin: Is there a second to Representative Bergeron's motion?

Rep. Lane: Second.

Rep. Griffin: Representative Lane, seconded. Representative Bergeron.

Rep. Bergeron: Thank you. This amendment addresses two issues which the minority try to address in a lot of its maps. Specifically, when large geographic districts were being created, or floterials were being created, we wanted to keep them as small as practicable. We also wanted to try to give communities who were entitled to their own state representatives their own districts. This amendment achieves that.

This amendment has the largest floterial district of five towns, whereas the one that was contained in the amendment just passed contains six towns in that district. We also give Moultonborough its own state representative district, which does not occur in the representative plan, the Republican plan. And therefore, we would

ask for passage of this amendment.

Rep. Griffin: Thank you, is there further discussion on the motion on the floor, which is 2256. I'm seeing none, is the clerk ready to call the roll?

Rep. MacDonald: Yes. Representative Steven Smith.

Rep. S. Smith: No.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: No.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: No.

Rep. MacDonald: Representative MacDonald votes no. Representative Lynn.

Rep. Lynn: No.

Rep. MacDonald: Representative Berry.

Rep. Berry: No.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: No.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: No.

Rep. MacDonald: Motion fails, seven to eight.

Rep. Griffin: HB-50 as amended remains on the floor, open to further amendment. Is there an amendment in regards to Cheshire County.

Rep. Weber: Yes, Madame Chair. I would like to move Amendment 2021-2259H and it's towards the back of your packet.

Rep. Griffin: Is there a second to Representative Weber's motion?

Rep. Bergeron: I'll second, Madame Chair.

Rep. Griffin: Representative Bergeron seconds the motion. Representative Weber, would you like to speak to your motion?

Rep. Weber: Yes, please. I'm a little bit at a disadvantage because the majority amendment Cheshire map showed up in my inbox at 10:26 this morning and I actually learned of its existence at 12:40, but I'm gonna do the best I can. I see that the amendment has addressed certain concerns by giving each of the Keene wards their own designated representative and in that respect, it is a step in the right direction. But I also note that with respect to the map that I have offered, nine of the 12 jurisdictions that're entitled to one or two of their own dedicated representatives actually get them. And in this

one, I think there are two, there are only seven of the 12 that get them.

In any case, Walpole, Chesterfield, Hinsdale, Jaffrey and Swansea are still left hitched to other towns. So, that's Item No. 1. And in the amendment that I'm proposing, nine of the 12 get their own dedicated representative and the deviation for that is 6.72%. As opposed to what I believe is now an 8.62% deviation for the majority amendment. The other concern I have, the amendment that I am submitting better fits the requests of people who came before us, who almost unanimously said that they wanted smaller districts with smaller numbers of representatives.

And so, the proposed amendment keeps districts, even when aggregated or floterials, relatively local as opposed to the map that I have in front of me, for the majority amendment, which has one gigantic floterial, including the City of Keene and all of the western portion of the county and then several other very large floterials as well that completely ignore communities of interest. So, I think that the suggestion that I am proposing more, is closer to being constitutional, under the New Hampshire Constitution. And therefore, I would urge its adoption.

Rep. Griffin: Thank you, Representative Weber, would anybody else like to speak to the motion? Representative Turcotte.

Rep. Turcotte: Thank you, Madame Chair. Speaking to the new map that we have proposed that you received yesterday I guess.

Rep. Griffin: No, she was referring to a.m.

Rep. Turcotte: Oh, a.m.? Okay.

Rep. Weber: 10:29 a.m. today.

Rep. Turcotte: Oh, okay. Gotcha. What we did from our original submission is, we noted that there were ways to increase the number of districts, increased the number of single town districts. And make our map quite a bit more…

Rep. Griffin: They'd have more districts.

Rep. Turcotte: Searching for the exact word.

Rep. Griffin: You only get another five seconds to find it.

Rep. Turcotte: Oh, sorry. Okay. But anyway, to improve our maps dramatically from the one that we submitted. I will make note that large floterials appear in the state in several counties, in many of the minority's counties. That's not unique. I will note that in this map, there is a district that should get its own district, that on either map shouldn't get it. I will note also that, when we look at deviations, some are looking at the deviations by a county, yet the maximum and minimum deviations are on a statewide basis.

So, if we have a low one in one county and a high one in another county, that's the number that we're looking at for the 10%. Also, as far as single-town districts and districts as a whole and floterials, again, we look at that on a statewide basis when you look at the totals, because there are some counties where we greatly exceed the minority's maps in all of those categories and there are other maps where you have been able to do that on a smaller basis. So, that's what I have to say regarding Cheshire.

Rep. Griffin: Thank you. Further discussion on the amendment on the floor, it's 2021-2259. Seeing none, I'm going to ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: No.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: No.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: No.

Rep. MacDonald: Representative MacDonald votes no. Representative Lynn.

Rep. Lynn: No.

Rep. MacDonald: Representative Berry.

Rep. Berry: No.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: No.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: No.

Rep. MacDonald: Motion fails at seven to eight.

Rep. Griffin: HB-50 remains on the floor, as amended by 2274, is there a further amendment? Coos Representative Piedra.

Rep. Piedra: Thank you, Madame Chair. So, I already made my point to a certain extent, but this is one of those –

Rep. Griffin: You still need to move the amendment.

Rep. Piedra: I will move Amendment No., thank you, 2021-2253.

Rep. Griffin: Thank you, is there a second?

Rep. Weber: Second.

Rep. Griffin: Thank you, Representative Weber. Go ahead and speak to your motion.

Rep. Piedra: Thanks, Madame Chair. As I was saying, this was one of those rare situations where we actually can comply with the New Hampshire Constitution without changing anything else. Again, the deviation ranges for the minority map and the majority amendment that was just adopted are exactly the same, so the county remains the same, deviation wise, as does the overall state. In this amendment that's being offered, Berlin maintains its own district, which is what the constitution requires. I think it's unavoidable that we have to do that, or some other alternative that maintains Berlin in its own district. So, in the interest of the New Hampshire taxpayers and to avoid a lawsuit about it, I suggest we adopt this amendment.

Rep. Griffin: Representative Smith, Steven.

Rep. S. Smith: Thank you, Madame Chair. So, earlier we stated that we disagreed, I disagree. The New Hampshire Constitution, nowhere in the New Hampshire Constitution does it say that if a channel ward is big enough, it gets its own representative. The language passed by the people is, when the population of any town, or ward, according to the last federal census is within a reasonable deviation from the ideal population of one or more representative seats, the town or ward shall have its own district of one or more representative seats. So, the question then is, is Berlin within a reasonable deviation.

That is a matter of great debate, but what I just did was eliminated the other two towns, Berlin, if you give it three seats is minus 8.77. So, that would force the range for the entire state plan to be about 13%, which is outside the 10% guidelines that people generally

accept. Remember, we don't pass county plans. We pass one state plan, that's the measure. So, for that reason alone, I can see why Berlin does not get its own representatives. Adding Jefferson to it puts it well within the range that we were looking at for the state plan.

It's also of note that when we looked at Carol County, Conway actually fits these numbers much better, it is less than five percent from being perfect, yet they did not propose that Conway get its own representatives. So, let's just be consistent and turn down the amendment.

Rep. Griffin: Further discussion on the amendment on the floor, which is 2253. Representative Weber.

Rep. Weber: I'm just gonna disagree with the statement that a town has to be within a reasonable deviation in order to get its own representative or representatives. That is certainly the language of the statute, but if you look at the voter's guide and everything else that was written at the time, people thought they were voting on the proposition that if you had enough people to support one representative, you got your representative. I understand it's mathematically impossible, but it just makes no sense to argue it the other way. Thank you.

Rep. Griffin: Thank you, Representative Weber. Representative Smith.

Rep. M. Smith: Thank you very much, Madame Chair. I wonder if the distinguished Representative Smith, rather than me, could explain what the language means when it says, one or more. Does that not allow for the fact that the number doesn't have to be exact and that it might be one, two or three by themselves.

Rep. S. Smith: Sure. And again, I'm not trying to interpret anything or guess what any person or persons may have thought when they checked a box. I'm just reading the language that was passed, that is the law of the land, that is the New Hampshire Constitution. Berlin's a great example. If you try to apportion those, they're minus 8.77. Conway is within five percent. That's why you would have multiples. So, just being big enough look, we try to do it. There were towns in the last redistricting that, by what I just stated, were not entitled to their own representatives and they got one.

But the fact is, we gotta stop at the county line, so I think we have done it where we could do it. But with the constraints that we have, we can't do it at the expense of the rest of the county. And with Berlin also, it forces the numbers for the state plan, which is what we'll be judged, not a county plan, far outside the parameters that we have.

Rep. Griffin: Further discussion on the amendment. Representative Piedra.

Rep. Piedra: I'm honestly asking. Because I may be misunderstanding Representative Smith's point. And this proposal, this amendment has the exact same deviations as the amendment that was just adopted by the committee. How is that gonna change the overall state deviation?

Rep. S. Smith: So, in your amendment, you've given Berlin how many seats?

Rep. Piedra: Two.

Rep. S. Smith: And what've you done with the excess?

Rep. Piedra: They're floterial. Happy to provide the breakdown of deviations to the committee. It just seems like there's a factual confusion and there's a question about what's constitutional. Seems like we should get it right, but I don't wanna belabor the point.

Rep. Griffin: Well, that's what they make courts for, Representative. Isn't that what you just reminded us in regards to threats of a lawsuit if things don't meet the constitution? I did hear that from people at our commission meetings. I'm a little dismayed that a member of the committee brought it up, especially one that's been involved in litigation in the state.

Rep. Piedra: Okay. I should respond to that, Madame Chair. I think that that's gratuitous. I didn't make a threat. I think if we're violating the constitution, that's a legitimate consideration that we should be –

Rep. Griffin: Okay.

Rep. Piedra: Okay. So, I don't appreciate you taking pot shots at me or putting words in my mouth. Thank you.

Rep. Griffin: Thank you. I attempt to just take the words as they're stated and said, which also brings me to the point in regards to Representative Weber, in regards to what the statute says, versus what you might say in the voter guide. I certainly know of the members sitting at this table, I am not the one to argue statutory construction and when you need to go outside the bounds of words. And so, I think we all know that there are things that some people disagree on the interpretation of, and people are just going to disagree on what the interpretation of things are.

So, I think that this committee has done a great job in expressing those disagreements, respectfully with each other and I apologize if anybody thinks I wasn't being respectful. I understand that these have been long considerations for everybody with a great amount of work for everybody and I really appreciate every member's contribution to the committee and the work that we are doing. On the floor is Amendment 2021-2253. Is there any further discussion on that amendment? I'm seeing none, I'm going to ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: No.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: No.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: No.

Rep. MacDonald: Representative – yeah. Representative MacDonald votes no. Representative Lynn.

Rep. Lynn: No.

Rep. MacDonald: Representative Berry.

Rep. Berry: No.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: No.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: No.

Rep. MacDonald: Vote fails, seven to eight, Madame Chairman.

Rep. Griffin: 2253 failed. HB-50 as amended by 2274 remains on the floor, open for further amendment. Is there an amendment? Is there an amendment, Representative Bergeron.

Rep. Bergeron: For Grafton County, Madame Chair.

Rep. Griffin: Thank you.

Rep. Bergeron: Madame Chair, there is an amendment before the committee, 2021-2251. I am not going to propose that amendment. I notice that there was a change in House Bill 50, regarding Grafton County, which awards one seat to each of Lebanon's three wards, plus one at large. And I think that carries more value than the amendments I was seeking in other parts of the county, and therefore, I will not be offering an amendment to Grafton County.

Rep. Griffin: Thank you, Representative Bergeron for clarifying the material, what it did and what you were hoping to do. The bill on the floor is HB-50 as amended, it remains open for further amendment. Is there an amendment? Representative Wilhelm.

Rep. Wilhelm: Thank you, Madame Chair. I'd like to move passage of Amendment No. 2021-2258H for Hillsborough County.

Rep. Griffin: Representative Wilhelm has moved Amendment 2258, is there a second?

Rep. Weber: Second.

Rep. Griffin: It's been seconded by Representative Weber. Would you like to speak to your motion?

Rep. Wilhelm: Yes, Madame Chair. Thank you. There are a couple things, actually it's just one main one and we heard about it at the public hearings in rep's hall last week. Even though Manchester is entitled to at least 33 house seats, the majority amendment as adopted, it gives Manchester 32 seats. And so, the queen city is feeling a little bit short changed. This amendment would fix that, it'd be slightly larger floterial districts, but would make sure that Manchester gets its full personal representation.

As of the last census, Manchester had 155,644 residents. Actually, sorry. I think it's 115, 115. Which equates to, I think it's 8.395% of the entire state population. Of the 400 house seats, we should be, the City of Manchester, we the royal we, of the queen city, should have 33.58 seats, so that's either 33 or 34. So, that's really the main purpose of this particular amendment.

Rep. Griffin: Thank you for speaking to the motion, is there further discussion on the amendment? Representative Berry.

Rep. Berry: Yes, will this amendment make the floterials proposed inside of Manchester larger or smaller than the majority's map?

Rep. Wilhelm: Would the floterial, I just wanna make sure I understand the question, would make the floterial districts larger or smaller than the majority's map?

Rep. Berry: Correct. Yeah.

Rep. Wilhelm: The majority amendment?

Rep. Berry: Since they're both from Manchester, how many wards are going in the floats?

Rep. Wilhelm: It would be four under this minority amendment and three for the majority amendment.

Rep. Berry: Okay. And to that end, I currently represent 28,000 people. It's a lot of work for $100.00 a year. This amendment would send that number to 40,000. Which is I think roughly the population of Bedford, am I doing the back of the envelope math right there? That's just too large and unwieldy, so I'll be voting against this amendment. Even though, I don't feel that the queen city is getting shafted. I think the queen city would be voted by floterials of 40,000 people.

Rep. Griffin: Representative Wilhelm.

Rep. Wilhelm: I just wanna point out again, that the way that the minority proposal is for Hillsborough County, my own electoral prospects are hurt by this and my floterial district would double in size and would need to start campaigning in twice as many – sorry, in two wards that I have never campaigned in before. But I do think it's important that Manchester gets its full representation at the state house.

Rep. Griffin: That statement causes me to wonder, what if we change the process to provide that the final maps, each representative had to hold their hand as to whether it would make their future campaigns

harder or easier and then we just let everybody in the room vote. And then that would determine what district we adopted. And I just said that, not out of any disrespect. It is interesting, I wanna congratulate this committee because I have not seen, to my knowledge, any self-serving interests in regards to any of the proposals. And I just wanna thank everybody for that, because I think it is really true. So anyways, Representative Berry.

Rep. Berry: Just to respond to that, I commiserate with you, Representative. And I'm very confident in your reelection prospects in the north end, if you so choose to go that route. My district, if I choose to ran again, which is a big if, would get more competitive as well so, I hear you.

Rep. Griffin: Representative Turcotte.

Rep. Turcotte: Thank you, Madame Chair. In response to Representative Wilhelm's point, we do not allocate representatives by city in the State of New Hampshire. We allocate them by county. If Manchester was an at large district, your math would possibly be correct. Manchester elects to be wards. When you break it down by ward, you are not guaranteed a city wide, divided by 34, 44 number of seats. Thank you.

Rep. Griffin: Further discussion on the amendment, on the floor, which is 2258. Seeing none, I'm gonna ask the clerk to call the vote.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: No.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: No.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: No.

Rep. MacDonald: Representative MacDonald votes no. Representative Lynn.

Rep. Lynn: No.

Rep. MacDonald: Representative Berry.

Rep. Berry: No.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: No.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: No.

Rep. MacDonald: Motion fails, seven to eight.

Rep. Griffin: HB-50 as amended remains on the floor, open to further amendment. Is there a further amendment, Representative Lane.

Rep. Lane: Is Merrimack next?

Rep. Griffin: Yeah, Merrimack I think is next, it's one of the single ones.

Rep. Lane: Sorry, I lost track. So, yeah. So, I have an amendment. It's a separate page, I guess from the one that everybody got.

Rep. Griffin: Yes. it is. Yeah.

Rep. Lane: It's Amendment 2021-2275. And it is the same as was proposed in our working sessions, so nothing has changed.

Rep. Griffin: Is there a second to Representative Lane's motion?

Rep. Lane: Oh, sorry.

Representative: Second.

Rep. Griffin: Representative Bergeron, thank you. Go ahead, Representative Lane.

Rep. Lane: Sorry. So, it is the same as what we proposed during the working sessions last week. I have not had that much chance to review the one that was changed by the majority, so my understanding however is that the minority map still has more individual towns, I think by two, than what is in the majority's map. And I don't wanna belabor the point and I won't go down the path, but we feel that it is more constitutional and because it does that and allows for more towns to have their own representatives. That's the major difference. I think there's two, at least as I look at it quickly, I think there are two more towns in ours that have their own reps, rather than the one in the majority.

Rep. Griffin: Okay, thank you. Representative McGuire.

Rep. McGuire: Thank you, Madame – Thank you, Madame Chair. And this map has been modified from what was presented. In particular, I took Representative Lane –

Rep. Griffin: So, just for clarification on the record, Representative McGuire, you're talking about Merrimack as in the Amendment 2274.

Rep. McGuire: That's correct.

Rep. Griffin: Okay.

Rep. McGuire: That version of the map for Merrimack County is different from what was presented at the public hearing. And the most significant change is that I took Representative Lane's districting for the City of Concord, which added two individual wards, that got their own reps. Their own districts and the floats are entirely within the City of Concord, so there are no districts shared between Concord and the surrounding towns.

Rep. Griffin: Thank you for the clarification.

Rep. McGuire: And I would like to mention to Representative Piedra that in this map, my float district more than doubles in population to 27,000 people. So, I sympathize.

Rep. Griffin: All right, the amendment on the floor is 2275, is there any further discussion on the amendment? I'm seeing none, so I'm going to ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: No.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: No.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: No.

Rep. MacDonald: Representative MacDonald votes no. Representative Lynn.

Rep. Lynn: No.

Rep. MacDonald: Representative Berry.

Rep. Berry: No.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: No.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: No.

Rep. MacDonald: Motion fails, seven to eight.

Rep. Griffin: HB-50 remains on the floor, amended by 2274, open for further amendment, is there a further amendment? Representative

Simpson.

Rep. Simpson: Thank you, Madame Chair. I would like to propose Amendment 2021-2260H.

Rep. Griffin: Is there a second?

Rep. Weber: Second.

Rep. Griffin: Representative Weber, thank you. Representative Simpson, if you could speak to your motion.

Rep. Simpson: Yes. I'm proposing this amendment to the Rockingham County map, or to the amendment of the Rockingham County map. Because it gives the City of Portsmouth each its own representative from each ward and keeps the city lines together. While keeping the neighboring towns together like they have been in the previous 10 years. The base districts of Rye and Newcastle, and also Greenland and Newington. These towns have more in common with each other than they do with the city wards in the previous amendment. We have also in this amendment, given as many towns their own representative as possible.

In Deerfield, however it was hard to work this out with keeping the city lines together, anyway. So, it was hard to work that out, but we did hear testimony last week from folks from Deerfield who wanted their own district, but also were asking to be with Northwood and Nottingham, if they did have to be with other towns, they felt they had more in common with those towns than the towns of Candia and Auburn. And so, this map also does that. Thank you.

Rep. Griffin: Thank you. The amendment on the floor is 2275 in regards to Rockingham County, is there further discussion on the amendment? Representative Turcotte.

Rep. Turcotte: Thank you, Madame Chair. Rockingham County, we have 38 districts in that county. The minority map is at 32, single town districts, 19 we have, and the minority is at 17, I sympathize with the northwest corner of your map. As you know, we came out with the same float. It's pretty much inevitable up there, there's nothing we can do about it. The only difference is the Deerfield, which two

other towns it's attached to. Our input was opposite of what we heard at the meetings. As to the Newcastle and Newington issues, I grew up in Rye, I spent most of my years there, although it was not Rye when I lived there, I was on the other side of Rye.

But Rye, North Hampton and Greenland are much more in common with each other. Rye and North Hampton, especially. Newcastle, if you go over the bridge from Newcastle over to the Portsmouth ward, that we've connected it with, you almost think you could be in the same area. Same with Newington. Newington you think of the malls and everything there, it's very similar to Portsmouth, one. Our choice was to combine Rye and Greenland for a couple seats and then float it with North Hampton. Other than that, our maps aren't that different, other than we have a significant more districts on our map. Thank you, Madame Chair.

Rep. Griffin: The amendment on the floor is 2275, it's in regards to Rockingham County, is there anything – oh, sorry. I looked at the wrong column on my handwritten page. Thank you for that correction, it's 2260. Was there any further discussion on the motion? Seeing none, I'm going to ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: No.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: No.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: No.

Rep. MacDonald: Representative MacDonald votes no. Representative Lynn.

Rep. Lynn: No.

Rep. MacDonald: Representative Berry.

Rep. Berry: No.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: No.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: No.

Rep. MacDonald: Motion fails, seven to eight.

Rep. Griffin: HB-50 as amended remains on the floor, open for further amendment. Is there an amendment? Representative Marjorie Smith.

Rep. M. Smith: Yes. Thank you very much, Madame Chair but could I ask a question of the chair first. As we all know, we haven't had a lot of time and preparation to review all the amendments. And looking at the amendment that the majority has submitted and that's before us, as to Strafford County, there seem to be some differences from what we've seen earlier. Are there no differences?

Rep. Griffin: Representative Turcotte.

Rep. Turcotte: What you see in front of you, Representative Smith is exactly what we initially presented.

Rep. M. Smith: Thank you for helping me understand that. In that case, Madame Chair, I would like to move Amendment 2021-2243 to House Bill 50.

Rep. Griffin: Representative Smith has moved 2243, is there a second?

Rep. Bergeron: I'll second.

Rep. Griffin: Representative Bergeron seconds it, would you like to speak to your motion, Representative Smith?

Rep. M. Smith: Yes, I'd like to speak to it very briefly and I'm still a little perplexed, but I'm glad Representative Turcotte, a fellow Strafford County Representative said there were no changes. In that case, the initial concerns that we raised with the committee continue. The first is, that we wanted to separate Dover from Somersworth and Rollinsford. On the same principals that we have articulated in all of the counties, and that's that we thought that, to the extent that it was at all possible, numerically, cities should be separate from towns.

And sometimes that's not possible, but where it is possible, we applaud that. And secondly, we wanted to keep Rochester separate from other towns and any base of floterial district. Third, we wanted to separate Strafford from New Durham, because they are connected only by the proverbial single point. In each of these cases, we thought that our proposal more closely reached what we understood to be the shared goals of everyone, and I would ask you to support this amendment.

Rep. Griffin: Thank you, Representative Smith. Is there anyone else who wishes to speak to the motion on the floor, 2021-2243? I really thought this meeting was gonna go longer so, I'm lucky. Anybody else? If nobody's gonna speak, I'm gonna ask the clerk to call the roll on 2243, this is an amendment to HB-50.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: No.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: No.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: No.

Rep. MacDonald: Representative MacDonald votes no. Representative Lynn.

Rep. Lynn: No.

Rep. MacDonald: Representative Berry.

Rep. Berry: No.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: No.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: Yes.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: Yes.

Rep. MacDonald: Representative Lane.

Rep. Lane: Yes.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: Yes.

Rep. MacDonald: Representative Weber.

Rep. Weber: Yes.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: Yes.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: Yes.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: No.

Rep. MacDonald: Motion fails, seven to eight.

Rep. Griffin: HB-50 remains on the floor, open to further amendment. Is there a further amendment? Representative Smith.

Rep. M. Smith: Yes, Madame Chair, as to Sullivan County. I propose Amendment 2021-2254. Assuming there's a second, I have to wait for a second.

Rep. Griffin: It's been moved and seconded. Representative Smith, is this consistent with the presentation previously received on this county, your amendment?

Rep. M. Smith: It is consistent with what we presented, when we first discussed Sullivan County.

Rep. Griffin: Okay, let me just check something. I believe you will find that the district numbers are different, but that the amendment proposed by the majority includes specifically, the map proposed by the minority for Sullivan County. And I'm looking at the amendment to make sure that in fact, it does. Representative Smith, who is much more familiar with his district represents to me that it is the same and it was the intent of the majority to adopt the minority

map for Sullivan County.

Rep. M. Smith: I think you very much for that clarification and I thank you even more for your willingness to consider our submission, since we are probably now all in agreement, I see no reason to extend the discussion. And in that case –

Rep. Griffin: Just actually, before – I made that comment before the second hit the floor intentionally because I believed that was what I was looking at. So,

Rep. M. Smith: If that is in fact true –

Rep. Griffin: That is the representation being made, and again, this is why I'm saying, if people see things to please let me know because it should be the same. I noticed, I think the district numbers are gonna be different, which is why I couldn't do a complete comparison because district numbers are assigned in the order that the map is created, which probably wasn't the same, but that's why the district numbers are same, but it should otherwise be the same as the proposal.

Rep. M. Smith: In that case, Madame Chair, and particularly for lacking a second, I withdraw my request for the Sullivan County Amendment.

Rep. Griffin: I'm looking at one half of the table to make sure that everybody agrees that what we've just done is correct and indeed, that is the case. HB-50 is on the floor, open to further amendment. Are there any further amendments to HB-50? The amendment on the floor is Amendment 2021-2274, any further amendments? I'm not seeing any, do I have a motion on HB-50, Representative McGuire.

Rep. McGuire: Thank you, Madame Chair. I move ought to pass with amendment on House Bill 50.

Rep. Griffin: Is there a second to that motion.

Rep. Turcotte: Second, Madame Chair.

Rep. Griffin: Representative Turcotte has seconded it. Is there any further discussion on this motion? This is the motion for state representative districts, the reallocation for all 10 counties. I'm

seeing no hands or no indication of discussion. I will ask the clerk to call the roll.

Rep. MacDonald: Representative Steven Smith.

Rep. S. Smith: Yes.

Rep. MacDonald: Representative McGuire.

Rep. McGuire: Yes.

Rep. MacDonald: Representative Turcotte.

Rep. Turcotte: Yes.

Rep. MacDonald: Representative MacDonald votes yes. Representative Lynn.

Rep. Lynn: Yes.

Rep. MacDonald: Representative Berry.

Rep. Berry: Yes.

Rep. MacDonald: Representative Alexander.

Rep. Alexander: Yes.

Rep. MacDonald: Representative Marjorie Smith.

Rep. M. Smith: No.

Rep. MacDonald: Representative Bergeron.

Rep. Bergeron: No.

Rep. MacDonald: Representative Lane.

Rep. Lane: No.

Rep. MacDonald: Representative Piedra.

Rep. Piedra: No.

Rep. MacDonald: Representative Weber.

Rep. Weber: No.

Rep. MacDonald: Representative Wilhelm.

Rep. Wilhelm: No.

Rep. MacDonald: Representative Simpson.

Rep. Simpson: No.

Rep. MacDonald: Representative Griffin.

Rep. Griffin: Yes.

Rep. MacDonald: Motion passes, eight to seven.

Rep. Griffin: HB-50 is being recommended out of committee as OTP with Amendment 2274. That is the last of the bills I have in front of this committee for executive session. These bills needed to be reported out by Thursday of this week. I will be looking for reports by the close of business tomorrow. The clerk has reconfirmed, after learning of our discussion, that the reports are due this week. So, if those can get in by the close of business tomorrow, that makes it certain that they will get to the clerk on Thursday the 18th.

As far as I know, the only other issue before this committee is of course, Representative Bergeron and Representative Lane did a lot of work on this, is the allocation by the city of population to their wards and what impact that might have on what we have voted on. We have started to get in data from the cities. As I stated, we're gonna wait to get as much of that data in as possible. We're having the **Joel**, who is running the program for us, input that data. And when that's available, there'll be discussions in regards to how to proceed as a committee.

It is anticipated that these bills will be before the house at the sessions, which I now understand are scheduled on the first Wednesday and Thursday in January. Which would be January 5th and 6th, if my recollection is correct. Representative Smith.

Rep. M. Smith: Madame Chair, I just want to make sure that there's a notice that there will be a minority report on House Bill 50 and the motion would be OTPA. And we will let you know the name of the member who will be writing that report.

Rep. Griffin: Okay. I just raised a question in my mind as to putting in the calendar, all those different amendments, whether they can be consolidated or not.

Rep. M. Smith: I feel whether they can or not, or whether they will have to be drafted as a single amendment, I feel certain that they are capable of drafting minority reports that will adequately raise the issues that are of concern.

Rep. Griffin: No-no-no, I'm not worried about that, I'm just thinking about the **[inaudible – crosstalk] [05:58:58]** amendments on the calendar.

[Crosstalk]

Rep. M. Smith: I understand that. And then, at a minimum, the clerk and OLS have plenty of time to figure out how appropriately to present that to the house. Because we did present amendments and yes, it's very unusual to have a report to pass as amended, by amendment and then a list of seven amendments.

Rep. Griffin: Yes, it was handled very differently 10 years ago and so, we'll let the staff figure out, with you how to figure out how best to put that forward. Does anybody else have anything for the committee to address today? I'm seeing nothing, so this meeting is adjourned. I wanna thank you all very much, there will be no meeting tomorrow, there is no need for a meeting. The bills have all been voted on, so again, I wanna thank every member of this committee for being a part of this committee. It has been a pleasure to have some of the dialogue that we've had here, and it's been a pleasure to work together to get these bills to the entire house for voting, thank you very much.

Rep. M. Smith: Thank you, Madame Chair.

Representative: Thank you, Madame Chair.

[Crosstalk]

Representative: Sure.

Representative: Did you end up locking it up?

Representative: Yeah, I just shut it.

[Crosstalk]

Representative: Rochester. Last year was a map –

Representative: Four, five and seven. There we go. And then six, eight nine.

[Crosstalk]

Representative: Have a good Thanksgiving.

Representative: Is that coming up?

Representative: Yeah.

[Crosstalk]

Representative: Have you ever tasted those turkeys? The wild turkeys?

Representative: I have to stop and let them cross the street a lot of days.

Representative: Yeah. They're not very good.

Representative: If I jumped out with a bat.

Representative: Your family would not appreciate that.

Representative: I was driving on a New York throughway a couple of years ago. I think it was three or four lanes in each direction, and all of a sudden this flock of turkeys decides to cross the road. And I was amazed that none of them got whacked, because they're all of 5 or 6 feet off the ground.

Representative: Yeah.

Representative: Yeah.

Representative: They're not so good at flying.

Representative: Nope.

Rep. Griffin: Thank you, Barbara. Yeah, yeah. Thank you. I know. We are both part of a process that is bigger than ourselves, it's just they're smaller.

Representative: Thank you, Marjorie for all you've done.

Rep. M. Smith: Thank you, Paul for all that you've done. **[No dictation] [06:03:04 - 06:04:16]**

[End of Audio]

Duration: 177 minutes

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