Exhibit 10

Male Speaker: **[No dictation] [00:00:00 - 00:02:40]** Good morning.

Chair Griffin: Good morning. I'm sorry I'm a few minutes late. I'm trying to get election law things taken care of for the calendar. Along with every other committee chair in this building. Welcome to the New Hampshire House Special Committee on Redistricting. We haven't met in a while. We are here on Thursday the 14?

Rep. Wilhelm: 15th.

Chair Griffin: At 10:00, to consider bills relating to the senate and Executive Council Districts, which we have received form the senate. Senator Gray is with us, but before we begin, I ask that you all rise and join me in the 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.

Chair Griffin: Thank you very much, and thank you, Senator Gray. Welcome.

Senator Gray: Well, thank you. My name is James Gray. I represent Senate District 6, which starts in Rochester, goes up Route 11 into Belknap County, Alton, Barnstead, Gilmanton. What you see in front of you, and it's easier described on the map that you have provided for the people here, is the senate redistricting plan. Of note, things that happened is that with the shift of population, the northern part of the state decreasing population, in the southern part of the state, increase in population. And that population increase more prevalent on the eastern side of the southern part of the state.

It did require some significant changes in the districts to reach that equal population that our constitution talks about, and the federal law talks about. One of those things that we looked at right off the bat, and I think I mentioned it in one of the special committee hearings. The joint committees between the house and the senate was that Manchester had almost the perfect population for having just two senate districts and that Nashua, their population, that they remained in the number of wards that they had. And those wards were distributed out with equal population, made it very difficult to

maintain the system as it is.

One of the groups that represented, they put forth the idea that we could have a population deviation in Nasua, between that and the idea population of 8% or very close to that, which certainly did not please me much. But again, that's what Nashua did, and they enacted it. So, the Nasua wards were broken down in the senate districts along those populations. I certainly think that they could've done better for the population, or for the people of New Hampshire than they did. Certainly, people have asked me, what was the criteria? How did you make this decision, how did you make that decision? And I'll tell you that the criteria, certainly we look at a whole bunch of things.

But when you're trying to do an equal population deviation between the various senate districts. And you have that as one of your highest principals, that it answers some of those questions. Once you get below that and you say well, I have a choice between this community, that community, you're looking at population of how you group them together, looking at communities of interest types. Including the form of government that they have chosen. SB-2 towns, traditional towns, with traditional town meanings. The cities, the school districts as the mapping people had suggested, we looked at some of that. We looked at a lot of different things.

And because each one of those communities are different, it was different every time we drew a map. And there were a lot of maps that actually got drawn. But for various reasons, were never publicized, were never put out. Certainly, we took in consideration the testimony of the various people in the towns from the public hearings. And I did attend all 10 of those public hearings. I may be the only one on both the house and the senate that actually made it to all 10. It was a little difficult when we were up in Conway, I think it was.

The construction up there on the roads caused a little delay, but we did make it to all of them. I'm here for a minute and then I'm gonna be across the street. So, if you have anything, ask me now and I'll be back at 10:30 or whenever is appropriate for the next hearing.

Chair Griffin: Representative Webber.

Rep. Webber: Thank you, Madame Chair and thank you Senator for taking my question. As you know, I am from Cheshire County, and I have a concern because I wonder what the rationale was for putting Cheshire County into four different senatorial districts?

Senator Gray: Well, again as I said, that one of the highest priorities that we had was getting that population equal. And then, as we were able to make that different population, in fact, the name of the town escapes me. One of the last things I did, you see where the interface between Senate District 8 and Senate District 10, that little elbow shaped town there. That's one of the last things that I did before I sent the map forward, and that actually reduced my population deviation by several tenths of a percent. So again, people have said well, gee.

The maps are jaggedy and this and that. But if you are really trying to get that population correct, in my opinion, in accordance with Part 1, Article 9 of the constitution which does talk about representative districts but has been applied to all of the redistricting we do. We worked hard to get that population to a number that we could support.

Rep. Webber: Follow up, Madame Chair?

Chair Griffin: Follow up.

Rep. Webber: And of particular concern to me is Senate District 9, which you said you were concerned with communities of interest. I note that Senate District 9 runs from Hinsdale on the Connecticut River. Which is a small town and all the way over to Bedford, which is a very different, large town on the other, more than halfway across the state. And I wonder why, having been intimately involved in doing senatorial maps 10 years ago, it's much easier than doing house maps because the deviations are much easier to satisfy. And this town appears to me to be the very essence of gerrymandering. So, was there no other possible way to have kept communities of interest together?

Senator Gray: There are thousands of ways to keep communities of interest

together.

Rep. Webber: My point exactly.

Senator Gray: And thousands of ways to look at this map. That the testimony that we heard in Sullivan County was gee, we have a very close association with the people in Vermont. We share services, we share schools, we share a lot of things across that border. The people that we heard down in the southern part of the state said well, our economy is very much in tune with the people in Massachusetts. And so, that once you go and look at those populations, that if I'm not saying communities of interest is the highest thing on my list.

But population is, and then I look at the input that we got from the various communities about who they did want to be associated with. And even though we may try to do something, I'll tell you, I could tear any map that anybody put apart and cast dispersions on it and say, it's gerrymandered. This map, the population deviation is, I believe 7.5%. A lot of that population deviation is due to the things that were done by the Nashua community, in the way that they redistricted and are not, you really can't change them if you're going to do the five or six different awards in Nashua to put them together.

You just can't do it. So, we wanna sit and take pot shots at any particular map. You draw a map, you let me take pot shots. I can do the same thing.

Chair Griffin: Questions from other members of the committee. Representative Wilhelm.

Rep. Wilhelm: Thank you, Madame Chair. And thank you Senator for joining us and for taking my question. I'm curious, I represent Manchester Wards 1, 2 and 3. Curious why Ward 1 is separated from the rest of the city.

Senator Gray: One of the criteria that was used many, many years ago when I was probably younger than you, was to group communities together, such that you had one or more sitting senators, representatives, whatever districts that you were using against each other. Okay?

And so, we look at Manchester and we look at Goffstown and other communities. And that if you take a larger portion of Manchester and put it up against one of those other communities, they have an undue influence in my opinion on why is gonna get elected now. So, the original intent was to take and make Manchester just two senate districts.

But that would've put two of the senators competing against each other since there are currently three Democratic senators that live in Manchester. I did not, in any other place on that map, I did not put two sitting senators in opposition with each other, unless the senators had expressed to me that they were looking at a change. Point in fact is District 2. The senator from District 2 said that he was looking at moving further south and east in his district. So, that allowed us to take District 1 and come down into the area of the state where he currently lives.

But again, that was one of the things that we did not want to do, unlike some of the other maps that were out there, that had been proposed by various groups. That one of them I saw had three sitting senators sitting in the same district. So, what're you gonna get? Are we gonna call that gerrymandering or not? Well, again that's one of the things that I tried to avoid in making these maps.

Chair Griffin: Further questions from committee members? Representative **Lane**.

Rep. Lane: Thank you. Senator, are you saying that you took incumbents into account over other criteria?

Chair Griffin: Absolutely.

Rep. Lane: Follow up, Madame Chair?

Senator Gray: Certainly.

Rep. Lane: Can you comment on why that does not seem to be a problem in the congressional maps that have been drawn and recommended by the governor?

Senator Gray: There is differences in the eligibility for state offices where you have to live in your district and federal offices, for especially

congressional districts, but we're not here to talk about the congressional districts. But you do not need to actually live in the congressional district to run in that district. Case in point, was Mr. Sanders who ran two years ago in a district that he did not live in.

Chair Griffin: Further questions from committee members? Seeing none, I'm going to open the floor to comment on SB-240. Senator Gray has other things to do. Senator Gray, if you can stay here until 10:30, the people who have signed up to speak up on 240 have also signed up to speak on 241. So, my preference would be to start to take public testimony now, for 10 minutes. And if you can stay, then break in the public testimony. Go into your second bill before us, 241 as notices. And then after you present that bill, we can let you take care of the rest of your day, and we can continue to hear testimony on both bills then.

Senator Gray: As you wish.

Chair Griffin: Thank you. All right. Thank you, Senator Gray, for introducing 240. Also, signed up to speak on 240 is Olivia Zinc and Ms. Zinc, I'll leave it to you as to whether or not you wanna just address 240 or both of them at this point.

Rep. Webber: Excuse me, Madame Chair. She cannot address the other one, we have not arrived at the time yet.

Chair Griffin: Oh, the other one is not on the floor, I didn't officially open it. Thank you, Representative Webber.

Olivia: Okay. So, testimony for 240.

Chair Griffin: Correct.

Olivia: My name is Olivia Zinc, the Executive Director for Open Democracy Action. We're a non-partisan, non-profit organization, which has 35,000 members here in New Hampshire and we work on Democracy. And I live in Franklin. And I'm a mother of a 12-year-old daughter. And my 12-year-old daughter will be voting in six years and these maps will be the things that she gets to inherit as a first-time voter. So, just a reminder that these maps are for 10 years. I thank you for the opportunity to oppose Senate Bill 240. I

think that this bill doesn't take into consideration what's best for the majority of voters in New Hampshire, which are the undeclared voters.

And public criteria is very important. These maps have sprawling districts, which are not compact. This increases the margin to when Republicans can win 15, almost 16 of these senate districts are lean Republican. Which locks in a supermajority for Republicans. This ignores communities of interest like regional high schools and splits 35 high school SAUs. This packs districts with voters, both in the minority and majority parties. It puts college towns like Lebanon and Hanover and Plymouth into Senate District 5, leaving those adjacent districts more conservative. It has a somewhat high deviation.

And I think most of this has actually contributed to the Nashua ward lines, splitting Manchester into three districts, where it could be evenly split into two districts. There are only three competitive senate districts and zero very competitive district. I wanna speak to the senate district that I live in. It puts the City of Franklin in a district that goes to Orange, which is in the upper valley. Most of the people in Orange go shopping in Lebanon. And it goes down to Hillsborough. And so, I would say that most of the triangle that represents Franklin, Orange and Hillsborough don't have a lot in common.

And you also can't get there from one town to another, unless you hike over Mount Cardigan, which is one way to get to Orange. But the roads don't really take you there. And then I wanted to speak to Senate District 9, which is a lean Republican district, which stretches now from the Vermont Border to Hinsdale, all the way to Bedford. And it's one town deep. And I just wanna point out that I don't think Hinsdale and Bedford have a lot in common, as far as communities of interest. I really wanna urge this committee to work towards a solution that works for both parties.

That if 50% of the voters vote Republican and 50% of the voters vote Democrat, that we could get a map that works for both parties, instead of one party getting 16 seats and the other party getting eight seats. And with that, I'm happy to take questions. And I have copies of my written testimony that I can hand around.

Chair Griffin: Great, thank you. Why don't you just give that to Representative **Rulard,** and we'll get it passed around. Questions from committee members? Representative Lane.

Rep. Lane: Thank you. did you propose a senate map, Open Democracy, to the senate in the same way that you did to us here in the house?

Olivia: Yes. The Map-a-thon team proposed maps. David Andrews, who is our lead mapper is here today and can speak to the Map-a-thon proposals. And we'll have copies of all of that analysis for you as well.

Chair Griffin: Further?

Rep. Lane: Is the deviation significantly greater in the Open Democracy map than it was in the –

Chair Griffin: Why don't we, Mr. Andrews has signed up to speak, why don't we let – yeah.

Rep. Lane: Oh, he has? Okay, thank you.

Chair Griffin: Yeah.

Rep. Lane: I'll wait. I'll pepper him. Okay, thank you.

Olivia: Yes, he's much better at answering deviation questions than I am. Much better at the math.

Chair Griffin: All right. Further questions? Representative McGee. And welcome back **[inaudible] [00:26:06]**.

Rep. McGee: Thank you. Thank you so much.

Chair Griffin: Or redistricting. I don't even know what committee I'm in anymore.

Rep McGee: Thank you, Madame Chairman and thank you for taking my question. You've testified, given some examples around how community of interest concerns have not been adequately addressed in some of the sections. I wounder if you could say

anything about the overall fairness in difference to other maps that've been presented to the committee for consideration. For the voters. You did allude to how independent voters might be not served as well by this map. Could you say a little more about that so we can understand it?

Olivia: Yeah. I'll try to attack that question. I think New Hampshire is a very purple state, where the majority of voters are undeclared voters. And we know undeclared voters can swing elections. And when you do analysis of maps, you can look at different years of elections based on what swings different voters. And so, I think the district you're in has been mostly Republican for the last 10 years but has swung Democrat at least once at the senate district. And I believe that senate district is very similar, this proposal decade, as it was the prior decade.

And I think that when we look at maps, we really wanna make sure voters say, I'm going to the polls because I feel like my vote matters. Not, doesn't matter which candidate I choose for senate, because there's already a preordained outcome. And it's really important that there's faith and integrity in the process. And I believe that in some of these senate districts, some voters might look at the map and say, I don't believe my vote matters.

Whether I'm a Republican in Lebanon and I'd say, it doesn't matter who I vote for as a Republican in Lebanon because the Republican candidate in Lebanon has no chance of winning that district in New London and Plymouth and Lebanon, and Dartmouth's packed into that district. Whereas a Democratic voter in a different district might feel like their vote for a senate candidate might not matter.

Chair Griffin: Follow up.

Rep. McGee: It's the question of a novice, since I did not serve on the redistricting committee. But my question is whether or not the calculus of competitiveness is even one of the criterium that's used.

Olivia: My understanding is there's been no criteria that's been publicly released. And I do think that next decade, it would be really helpful

to have public criteria released on how these maps are drawn. Senator Gray talked about some of the criteria he used, as far as protecting incumbents is one of those criteria's. But I did not see a list of public criteria.

Chair Griffin: Representative Webber.

Rep. Webber: Thank you, Madame Chair and thank you for being here today and taking my question. Would you agree with me that my constituents in Hinsdale, which is the farthest town to the southwest in our state, might be considerably aggrieved by a district which joins them to a very large population center, which is almost in Nasua. And that they might feel that no matter who wins this district, although we know who's gonna win this district. That they might not be well served by a senator who is not, as they are now, from Cheshire County. But from somewhere all the way over near Nashua, which is where the population is.

Olivia: Yes, I do agree that voters in Hinsdale might feel that a senator would not rep – I would hope that a senator would feel like they represent every town in their district. But I could see that it easily, that a senator could focus their attention on those Bedford towns and not make it all the way across the state. I think that it's also, the roads don't go, 101 does not travel exactly that route to get from Hinsdale. It's a little tricky.

Chair Griffin: Further questions from committee members? That question was pretty speculative. I allowed it but I'm gonna ask committee members to try to ask questions that people would actually have a basis for responding. Any further questions? Thank you. It is now 10:30, I'm going to put the public hearing on 240 into recess and I'm going to recognize Senator Gray to introduce 241 to the committee. Welcome Senator Gray.

Senator Gray: Thank you very much. For the record, I am James Gray. I represent Senate District 6, which starts in Rochester, goes up Route 11 into Belknap County, Alton, Barnstead and Gilmanton. Certainly, one of the things that we heard from the public hearing was how gerrymandered, and I'll use quotes around that, the executive counsel districts were. Again, if you are really trying to do what the law says, and get the populations as equal as possible,

sometimes the maps get messy. Sometimes you end up with things that stretch out. So, one of the things that we did try to do was take a good look at that.

The population deviation, I believe for the map without any changes, using the new census data was approximately 2.7. We looked at several different maps. How that could be accomplished. And again, not trying to protect any incumbent, but to make sure that we didn't intentionally have two incumbents running against each other. Which is one of the criteria in your NCLS book, that you've I think all got on election. You go into the chart on the back, in the various states that have criteria for redistricting, it's one of the ones that's listed there. It's not gerrymandering, it's what I considered to be the opposite of gerrymandering.

It is making sure that someone doesn't decide well, this one and this one, we're gonna have these two Democrats run off against each other. That's certainly not the intent of what I did and it's the opposite. We tried to make sure that that didn't happen. But sometimes things get messy. So, the resulting map that you see in front of you, there was a lot of people that wanted this, wanted that, wanted the other things. I need to be able to count to 13 in the senate to get things passed and it took a long time. Unfortunately, the map that you see in front of you was not put together in time to have a separate public hearing in the senate.

But it does a lot of the things that we were told in both the hearings that we held across the state, in each one of the counties. And what we heard in the other public hearings that was held on the map that is currently invoked on those communities. This shifts some of the population down into the area where the line of population, as a representative said, a single line going across. Which in fact, doesn't make it bad. It just says that's the way it is. And so, it shifts part of that population from District 1 down into that area. And then does what the people down in Sullivan County said to do, is that they felt that they had an association with Vermont.

And keeping them together and an association with Vermont that was beneficial to them. We tried to not do very much in Districts 3 and 4. To keep them relatively the same. And five, again due to those population, not any other nefarious thing, but due to

population, trying to get those maps very close. And in fact, the population was, I guess that's not quite half, it's closer to half though, of what the deviation would've been at 2.7. I think it's one-something, the number escapes me right now. But remember, the thing that's in law, you go back and populations as equal as possible, practical. You can go look the word up in the constitution.

These people that talk about compactness. These people that talk about other things, just show it to me in the law and I probably would've done different things. But that's not in the law. The law is population, population, population. And if you look at the supreme court decision, Manchester V. Gardener, and you look at it, certainly it's clear in there and we certainly did use that as a reference in the things that we did with the various maps.

Chair Griffin: Thank you. Questions, Representative Webber.

Rep. Webber: Thank you, Madame Chair. Would you agree with me as a matter of first principals that an affinity with Vermont, for the river towns, has nothing to do with redistricting because there are still going to be river towns and Vermont is still going to stay where it is?

Senator Gray: I will not agree with you. What my testimony was, is that at the hearings in Sullivan County, that was a request.

Rep. Webber: Another question.

Senator Gray: Now, a valid request, I guess you can take that up with the people at the hearing that made that request. But we did listen to them, and we do know that there are many things that do happen across the border and across the river and in fact, a lot of times, people cross the border to go down the road so they can come back in New Hampshire and that's actually quicker for them than juts traveling the roads in New Hampshire. So, there is an association, whether you like it or not, it was expressed in the hearings.

Chair Griffin: Follow up.

Rep Webber: Okay, I'll leave that one. This next question is not speculative

because it's a matter of population and the way the lines were drawn. So, isn't it true that as the maps are currently drawn, with the population being very much in the south of both District 2 and District 1, that it is conceivable that the north country will wind up with no effective representation whatsoever under this map?

Chair Griffin: Could you please define effective representation?

Rep. Webber: Isn't it true that you may have one counselor from Concord and one counselor from over in the very farthest southeast corner, both of whom are from larger metropolitan areas, which look very unlike most of the north country, as it is now constituted?

Chair Griffin: I think the committee can stipulate that rural communities are different than metropolitan areas. Senator Gray, do you wanna answer that question or not?

Senator Gray: I certainly, by looking at this map, I can draw a very small circle that would encompass part of 1, part of 2, part of 4 and part of 5, or any other combination of four of those and cover it with probably a $.50 piece, the way this map is printed. So, is it possible? Yeah. But who's making the choice? The voters in the State of New Hampshire are making the choice. And to say that a population deviation of under two, is not preferable to a population deviation of three or four is ridiculous.

Chair Griffin: And one final follow up.

Rep. Webber: My final follow up is, the observation that isn't it true, that because we're only dealing with five districts and many, many, many towns. There are any number of ways that you could have put this together, unlike the house maps where it's very difficult. Where you would achieve the same population or better and probably not better. It's pretty good for the deviation. And not confuse the communities of interest, to the extent that this map does.

Chair Griffin: You had me, Representative Webber until you said confused communities of interest. Could you rephrase that?

Senator Gray: Madame Chair, if it's possible –

Chair Griffin: If you wanna go ahead and answer it, go ahead. Briefly, please Senator.

Senator Gray: I will stipulate that there are probably millions of ways to do this map. My job and again, I looked for the supreme court decision, Manchester V. Gardener, about what they did when they were looking at the various maps and said okay, where do I start? Where do I go? Okay? And decisions get made. A decision in Manchester and a decision in Nashua can make a big impact on other portions of this map and when you're looking at population. We took into consideration the wants that we could from the various hearings that we held. We did our best. This is the map in front of you. It is not the 99,999 other ones that could be drawn.

Rep. Webber: My point exactly.

Chair Griffin: Further questions from the committee? Representative Wilhelm.

Rep. Wilhelm: Thank you, Madame Chair. Senator, thanks for taking my question. It's my understanding that this bill came out of the election law committee in the senate. With the districts, the current districts still intact. And then there was a floor amendment, which is what we're reviewing today. What prompted the floor amendment? Why a floor amendment after the districts that were put through the election law committee, there was consensus at that time? What happened between the committee meeting and the time the bill hit the floor of the senate?:

Senator Gray: I can tell you that if you go back through the hearings and various things that happened in the committee, that there were people in the testimony, both in the senate hearings and the hearings across the state, that something be done with District 2. But again, as I mentioned before, you need to count to 13 to be able to pass anything in the senate. So, we continued to work on that. We continued to try to improve it. We continued to try to get that population down further than the 2.7. That population that was in the map, that was voted out of the committee, and we were able to achieve that. And then, that prompted a floor amendment because of procedure.

Chair Griffin: Further questions from committee members. Representative

McGee.

Rep. McGee: Thank you, Madame Chairman. And thank you Senator for taking my question. My question relates to the fair maps effort. I attended my county's redistricting meeting. And I also know the person in my town who presented a warrant article at our last town meeting, which passed. And I understand there's about 74 towns passed warrant articles, asking for fair maps. And I understand that the word fair is in the eye of the beholder perhaps, but I believe that the Map-a-thon effort worked to try and supply maps that were fair in that they were not designed to help any party, but rather to advantage the voter.

And I wonder if you could speak to the map that you've given here, as to how it stands up against the other maps that were presented. I know you've said you could do it a million different ways, that's true. There are many ways to slice up a map. But I think the committee was presented with maps that were more fair than this map that we're looking at right now and I wish you could speak to that.

Senator Gray: I don't know what more fair means. I know what legal means. I know what the constitution says about equal population. I know that many of the maps that were presented from the fair map people had errors in them that I pointed out to them. One of the maps had a town for this particular map, I believe that was misplaced in a district when we were looking at retaining stuff. I know that they wanted Nashua, and proposed to Nashua, that they have a population deviation of approximately eight down in Nashua, which certainly in my opinion, doesn't follow the state constitution in trying to get equal population as equal as you can.

They have an agenda that said that we need to keep school districts together. I will tell you that I have been a representative, I have been a school board member, I have been a city councilman and I have been a senator. And as I move up the chain, school districts become less a thing that I need to associate real closely with as I go up. And so, trying to take that school thing and say, I'm gonna make a congressional map because, I'm gonna move this town because it keep a school district together, it did not pass the commonsense test with me.

That when I was a school board member, absolutely. Okay? When I was a city councilman, yeah. I wanna keep that in. But as I get to be a representative and more broad interpretation, and now as a senator, it's just not a practical criteria.

Chair Griffin: Thank you, Senator. Further questions from committee members, Representative Webber.

Rep. Webber: Are keeping counties together no longer a consideration for you? Because I noticed that these districts have very little respect for county lines or the concerns for people on the county level, which is a much broader level than the school district.

Senator Gray: Two things I'd like to say about that. I represent two counties right now, Strafford County and Belknap County. I think that going to the various meeting that I do in both counties gives me a better perspective of what the general population across the two counties that I represent. I also wanna point out that when Map-a-thon started this, and they started to look at communities of interest, I was told by one of their representatives that their original list of communities of interest contained more than 60 items.

And that those were winnowed down to the ones that you see in the maps. So, just as I could have another 10,000 different maps, I can also have another combination of communities of interest that were at least something that they considered as communities of interest when they started to do the maps.

Chair Griffin: Further questions from committee members. Representative Lane.

Rep. Lane: Thank you, Madame Chair. Senator, I agree that defining a fair map is a difficult process. Would you agree that a fair map means that the district is as competitive as possible?

Senator Gray: No. And let me explain that. Okay? If I go and stick a pin in Portsmouth and I try to make a map that's competitive, Portsmouth leans very, very Democratic and if I try to make it competitive by going somewhere, and I'm not quite sure where, to make it competitive, I have done a disservice to those people in Portsmouth. If I stick a pin in Belknap County, we'll say up in Alton, for example and I try to make that a competitive district,

there's not a whole lot of things that you can do to make it a competitive district.

And I have done a disservice. I believe that that is also in the definition of gerrymandering, saying that I'm going to make this thing competitive, no matter what the basis of the people are, no matter what the population is and if you're going to expand your definition of gerrymandering the way some of the representatives have expressed opinions today, then that would also fall into your definition of gerrymandering.

Chair Griffin: Further questions from committee members?

Rep. Bergeron: Madame Chair.

Chair Griffin: Representative Bergeron.

Rep. Bergeron: Thank you, Madame Chair. Senator, just a question. The existing population in the five council districts currently has a deviation of 2.27% without doing any changes at all. Did the senate take into consideration that they didn't need to redistrict at all?

Senator Gray: The senate certainly did take that into consideration. The senate, in the hearing that was held in the senate was a hearing on the map as unchanged. But there were people, probably some of the same people you'll hear from today, that still pointed to District 2 and said, District 2 because it is one town long and stretches from the west side of the state to the east side of the state and wanted to see a change. We were able to find a map that was presented in the floor amendment, that you see in front of you, that reduced that population deviation, further making us more compliant with the state constitution and producing a map that you see in front of you.

Rep. Bergeron: Thank you, Senator.

Chair Griffin: Further questions from committee members. Seeing none, thank you for being with us this morning, Senator Gray.

Senator Gray: It was a pleasure.

Chair Griffin: All right, so at this point, I will reopen the hearing on 340 and we

will also continue now with 241 in regards to the hearing on the bill we just heard, Executive Council Districts. I'm gonna recognize Olivia Zinc, because she was the only person who got to speak on 240. I believe pretty much everybody that I have gotten a pink card has signed up to speak on both bill. So, I'm gonna give everybody the opportunity to speak to both bills when they come up.

And I'm going to ask that testimony be limited to five, six minutes because you're gonna be testifying on two bills. And we'll let you know when you're at five minutes. So, thank you Ms. Zinc and welcome back up again and the paperwork will be passed around. And I think it got stopped somewhere the last time, so if we can just pass the written testimony out from people when we get it, that would be great. Thank you.

Olivia: Good morning Representative Griffin and members of the Special committee on redistricting. For the record, my name is Olivia Zinc, Executive Director for Open Democracy, a pro-voter, non-partisan organization based in Concord, and I live in Franklin. I wanna first, before I start my testimony, just comment on Senator Gray's example of using Portsmouth, to create a safe Republican district. He exactly did that in the executive council districts. So, it is possible to make Portsmouth a safe Republican district and they have done that. In that executive council district. So, Executive Council District 1 undergoes I think the most amount of changes in this map.

Including Clairmont, Hanover, Lebanon, Littleton, in Grafton County. Also putting parts of Coos, Carol, Belknap Counties over into the other districts. District 2 also undergoes a lot of changes. I talk about them specifically in my testimony, and since you have that in front of you. But I think really, it does lose a whole portion from the current executive council maps. So, we are no longer a geographical executive council district. These maps have been reshaped. And I think of that as a little bit of an E. You come from Littleton, you go into Concord and then you go down to Peterborough.

Packing as many Democratic towns as they possibly could into that Executive Council District 2. District 3 remains exactly the same

as the other districts. In my testimony, I do talk about what the governor has said on New Hampshire Public Radio in the exchange about the executive council maps. And I think it's important that whatever this body decides that we don't get stuck in a place – and also, in my testimony, I do talk about, this is the first time, this meeting right now is the first time the public has had a chance to give input on this proposal. When the public hearing was in the senate, there was a different senate proposal for the executive council maps.

So, this is the first time in the process that the public has been able to give input on this specific map. And I again, urge you to amend this map so that you're serving all voters. And then you also have testimony from Joanne **Emus** and Hollis. Ian Burke and Keane. Ellen Farnham and Tamworth and Catherine **Incentape** that I also handed out, who could not be here today.

Chair Griffin: Thank you. I have a question. I have a written – oh, they're stapled together. That's what's being passed out now. I held it because I didn't know what I had. All right. So, this is further, I think we might've gotten emails from –

Olivia: From some of them, may have emailed their testimony.

Chair Griffin: Yeah. Okay.

Olivia: But I know that there may be a vote on this, so I wanted to make sure their testimony got in front of you for today.

Chair Griffin: For today. No, thank you. I appreciate it. Any questions for Ms. Zinc? Seeing none, thank you very much. Also signed up to speak today on these bills, on both bills is Linda Bundy.

Linda: Good morning Madame Chair, and members of the Special Committee on Redistricting. I didn't bring printed copies, but I did email you my testimony.

Chair Griffin: Yeah, you did.

Linda: And this is with respect to SB-240. When drawing redistricting maps, population deviation limits are mandated by the state

constitution. Citizens of New Hampshire attended public hearing sessions in each county and submitted additional criteria beyond the mathematics of population that they believed to be essential considerations when creating the maps. Most often cited were high school SAUs, shared emergency services, water and sewer systems and public health facilities. While the maps in SB-240 do meet population deviation requirements, they fall short with respect to best practices in redistricting and applying the criteria requested by granite staters.

The 2010 senate map already reflected partisan advantage. In 2020, the election results were divided 50/50 between Republicans and Democrats. But the senate seat split was 14 Republicans and 10 Democrats. The map proposed by SB-240 would have resulted in greater partisan advantage in the 2020 elections, yielding 15 Republican seats and nine Democratic. Sometimes that leaning Democratic have been packed into nine districts, while other have been split among the remaining 15 districts. In my region of the state, Hillsborough County towns of Hancock and Peterborough have been moved into District 10, making it more Democratic.

At the same time, causing my own District 8 and also District 9 to lean more Republican. District 5 is packed with three Democratic college towns that're presently in separate districts. Compactness is a best practice that can keep communities of interest intact. The proposed map has a low compactness score when analyzed by DRA-2020 and splits 36 high school SAUs. Keeping SAUs intact was the single most important community of interest criteria requested by citizen input. District 9 is decidedly not compact, being one town wide from Hinsdale to Bedford, across 90 – 73 miles, excuse me. I believe that the maps proposed by SB-240 are not in the best interest of the citizens of New Hampshire.

I ask you to amend them. Thank you. And with respect to SB-241. The Executive Council Maps of 2010 have served as a posterchild for gerrymandering. The proposed maps for SB-241 look better, but in reality are more partisan. District 2 no longer stretches across the state from west to east. However, it does reach north to Littleton and Carol, west to Concord and Peterborough and south to Hinsdale and Winchester. District 2 leans more heavily Democratic and District 1 is more Republican than before.

Districts 3, 4 and 5 are somewhat competitive, but lean Republican.

The voices of voters matter. A recent UNH poll indicates that 80% of voters do not think district maps are fair. Certainly, for Republicans in District 2 and Democrats in District 1, votes will not weigh equally. These maps also split 17 high school SAUs and also, nine of 10 counties are split. I believe that these maps do not serve granite staters well. I ask you to amend these maps to draw maps that do. Thank you for your consideration of my testimony.

Chair Griffin: Thank you. Any questions for Ms. Bundy? She tries to escape all the time before I ask that question. She comes in front of election too. All right, thank you. Also signed up to speak on these bills is Coreen Dodge. Thank you, thank you. I'm having a hard time. You just wanted to come. Welcome, good morning.

Coreen: Good morning, Chair Griffin and members. I believe I'm speaking on 240 first, is that correct?

Chair Griffin: You can go, I have every confidence the committee can keep together the difference between the executive council and senate map.

Coreen: I'm not sure I can, is my problem.

Chair Griffin: Well, that's somewhat true.

Coreen: My name is Coreen Dodge. I'm a voter in Derry, New Hampshire. Thank you for giving me the opportunity to testify against SB-240 for the proposed senate redistricting map. I believe that we can all agree that redistricting is a rather time consuming and expensive process. And that the purpose of redistricting is to even out the number of voters in each district, because of population changes during the past 10-year period. Ethically, this process should be done as fairly and as transparently as possible, to give all voters a chance to be heard. Ideally, a district's population would be evened out by grouping communities of interest like high school SAUs together.

This way, districts can elect officials who will effectively represent

their communities. And that's the most important part, not whether it's SAUs, it's whether they can effectively represent the people that voted in that district. That's the most crucial part in my mind. The minority and Map-a-thon Independent Citizen's mapping project's proposed maps do a better job of keeping SAUs together. And of creating compact districts. So that those representatives can represent their constituents. These proposal – I'm sorry. These proposals should be considered, and I ask you to do so. the purpose of redistricting should not be to silence voters' voices.

Nor should it be a one-sided political party scramble to assure the re-election of as many incumbent senators from the majority party as possible. And if 50% of New Hampshire voters vote Democrat and 50% vote Republican in the next election, with the maps being considered today, the result would be a consistent 16 to eight veto-proof majority. If 50% of voters vote for one party and 50 for the other, the senate should be a 12/12 split. Not a gerrymandered six to 18 vote. That's what I call gerrymandering, when the votes come out consistently 16 to eight, when it's more likely mathematically to be 12 to 12 split. I ask that you support all New Hampshire voters by amending SB-240 and I thank you.

Chair Griffin: Thank you.

Coreen: Should I do them both?

Chair Griffin: Yeah, do them both and then I'll ask for questions.

Coreen: Oh, I'm sorry. I forgot; I'm supposed to ask questions. I'm still not used to how this is, there's a system.

Chair Griffin: Well, we're doing this a little differently.

Coreen: I know that I know that. And I'm very nervous, as I always am.

Chair Griffin: You do a terrific job; you should not be nervous. We know you're always prepared, so welcome and 241.

Liz: Good morning, Chair Griffin and members. Thank you for giving me the opportunity to testify. My name is Coreen Dodge, and I am a voter in Derry. I am asking you to vote against SB-241 for the

proposed executive council map. I have two reasons for this request. One of them has already been stated, is that we haven't had a public hearing on it. And I believe that's important. And it was voted on without that. So, I won't go into that any further, I think that's already been stated. I admit that SB-241 clearly changes the look of what I call the Gerrymandered 2010 Executive Council Map, with its dragon District 2 design.

However, the partisan intent is still the same, allowing the majority party to gain political power over the opposing party. That's wrong whether who's in charge or who's the opposing party in my mind. District 2 still collect Democratic leaning towns, just going up the river instead of across the state. With so many Democratic leaning towns, Republican voters in District 2 are basically meaningless, and Olivia Zinc did a really good job describing what it feels like to be a voter in a district that you know your vote is not even gonna count, so why bother. Sorry. Likewise, District 4 leans Republican, making it hard for Democrats in this district to have their voices heard.

Is this what democracy should be about? Protecting political parties over voters. Do away with this funny looking dragon map and voila, the problem gerrymandered map magically goes away. No. No, it doesn't. We all know that. What we need it competitive maps, where legislators work hard to represent all their constituents. Where voters have a fair say in who will represent them, their interests. I urge the committee to amend, whatever it is. That thing. That map.

Chair Griffin: That was the executive council you were talking about, so thank you. See, we were paying attention, we know. Any questions for Ms. Dodge? And you've gotten emails from Ms. Dodge also.

Liz: Thank you.

Chair Griffin: Thank you. Also signed up to speak on this is Liz **Tantarelli**.

Liz: Thank you, Madame Chair and committee for this opportunity to speak My name is Liz Tantarelli. I'm President of the League of Women Voters of New Hampshire, a non-partisan organization that's been involved in the fight for fair maps here in New

Hampshire since at least 2004. So, we're not newcomers to this. Things don't surprise us. We get very actively involved. But I will say right now, I'm very discouraged. I'm very discouraged by these two maps. Early in this process, the chair of this committee said, it's all about the numbers. And the chair of the senate committee said, the numbers work out when presenting one of the maps.

If that were true, if this were only all about the numbers, I don't think the maps would look this way. We know that on a national level, the constitution says we have to do this. Pennsylvania lost a seat; California lost a seat. Texas gained two and there were some other changes. So, we expect changes. But let me talk about the executive council map first. I was very surprised to see the original proposal that came out of the special redistricting committee was for the same map that we have mocked since 2011 when it was adopted as being obviously gerrymandered, with District 2 tortured to become Democrat. And the other four strongly leaning Republican.

And so, I said to a colleague, when I heard there might be a change, there might be an amendment. I said, well how much worse can they make it? All right, sorry, I get a little cynical at times. This one is worse. District 2 now is even more strongly Democrat than the District 11 – I'm sorry, District 2 that came out of 2011. Five towns with significant size colleges have been crammed into District 2. With their attendant liberal voters and liberal professors and so on. But more than that, District 2 includes the Town of Hanover, which of course is a college town. It is also the hometown of the candidate that held the District 1 executive council seat twice in the last 10 years.

Not the current incumbent, but somebody who won two elections to hold that seat. That candidate no longer stands a chance in District 1, which he represented for four years. Because the lines have been drawn. So, the idea of what Senator Gray said, of protecting incumbents. Not protecting exactly, but rather respecting this. We didn't want fights between incumbents. Obviously doesn't apply to some people who held the seat well in the past. In my written testimony, I attached a page at the end, I even paid for color printing, folks. I rarely do this; we are so cheap.

This is the results of an NHPR study of the lean of the senate seats from 1994 through 2014.

It doesn't go beyond that because this report came out in 2016 and I am not smart enough mathematically to update this. But what you can see in this color chart is that for years, the senate has won a disproportionate number of seats. Disproportionate to the overall vote. So, if you ignore the efficiency gap because I'm not gonna try to explain that. Just look at the number of seats, shown in red for Republican, blue for Democrat obviously. And within the circle, it shows the percent that the voters got. And we go, it's just unbalanced. So that we have a state where more people are undeclared than Republican or Democrat. But when you look at the overall 2020 election results that we are still a purple state.

The votes tend to go half Republican, half Democrat. Not so with the senate seats. And with the new senate map that has been proposed, an analysis shows that there are now only four competitive seats for the senate. That it is very likely, evenly split Republican, Democrat vote in the next election, there will be 15 Republican seats out of 24. Fifteen to nine is very likely. And I've mentioned some districts in there that are most heavily leaning one way or the other in this Republican map. So, when the committee chairs say, it's all about the numbers, I'm skeptical. I think it's all about the partisan lean.

What that means is that voters next fall, if these maps go into effect, will have only one opportunity to really have their vote count and that is in the primary. And I don't know that we want that to happen. Typically, we get about a 15% voter turnout in primary elections. People, especially with over 400,000 undeclared voters in the state, they don't pay that much attention to primaries. And yet, these maps predetermine the outcome, whoever wins the primary in many of these districts, whether it's senate or executive council, will win the election.

Chair Griffin: Thank you, if you could wrap up.

Liz: I am wrapping up.

Chair Griffin: I figured you were.

Liz: Thank you, Ms. Griffin.

Chair Griffin: But I'm getting people looking saying, why aren't you saying anything.

Liz: No-no-no. I'm wrapping up, I'm saying as a non-partisan organization, I want all voters to have their voices heard. And while I can't guarantee everybody will vote in the primary, I want those votes to count in the general election. So, I am wrapped up, Ms. Griffin and thank you for this opportunity and if there are questions, I would be glad to answer them as long as they don't ask me to explain efficiency gap.

Chair Griffin: Questions for Ms. Tantarelli? Thank you for the color print. I'm always impressed by your paper, which is colored. And so, it sticks out.

Liz: Thank you.

Chair Griffin: Representative Lane.

Rep. Lane: Thank you, Madame Chair and thank you, Ms. Tantarelli. So, how would you define a fair map?

Liz: A fair map is a map in which all the voters get a chance to elect the candidate of their choice in the general election, not just in the primary. That isn't true when you get down to the town level. People live in Democrat or Republican towns; I quite realize that. But by the time we get up to the senate and the executive council districts and certainly, the congressional districts, every vote should be counted and have a fair chance of being counted. That's my idea of fair maps.

Chair Griffin: Follow up.

Rep. Lane: Thank you. Is that also consistent with the numbers in order to get the diversity – not diversity, the equalization of the population? Do you think there is a way to balance that between the two?

Liz: I think it's possible in the executive council maps, to have them drawn very differently. I'm not as sure about the senate maps. I

think that without torturing things terribly, there might be safe senate districts for either Republicans or Democrats. But we ought to be able to manage it at least for the executive council, in our discussion today. Thank you.

Chair Griffin: Further questions for Ms. Tantarelli? Seeing none, thank you very much.

Liz: Thank you.

Chair Griffin: Also signed up to speak on this bill is **Sara Lobdell**.

Sara: Thank you. Good morning.

Chair Griffin: Good morning.

Sara: Some of my senate testimony is going around, SB-240 testimony is going around and then the SB-241 is stapled to another packet, the one that Olivia mentioned with a whole bunch of other people.

Chair Griffin: Oh, right with that one we already have. Thank you.

Sara: Yeah.

Chair Griffin: Okay. We don't have that many, so if you wanna pass out the fair maps, that's fine right now because people have referenced them. Oh, Map-a-thon. Excuse me, fair maps, the signs all say the same.

Male Speaker: I think they're fair too.

Chair Griffin: I could ask some questions about fair, but I'm restraining myself. All right. Welcome. Okay.

Sara: Thank you Chair Griffin and members of the House Special Committee on Redistricting. My name is Sara Lobdell and I'm a voter in Keene, New Hampshire. Thank you for taking my testimony. I'm gonna speak to SB-240 and 241, specifically as they impact Keene and Cheshire County. And I wanna start off my SB-240 senate map testimony with a poem. Roses are red, violets are blue. New Hampshire is purple, these maps should be too. So, if you look at, I included a map of the image of the senate map in

my testimony. And on this map, Keene is in District 10. And based on the Map-a-thon's analysis, District 10 leans heavily Democrat.

So, this means in District 10, the votes and the voices of Republicans and independents are outnumbered and essentially meaningless. They won't be able to have a fair shot at electing a candidate that can focus on their needs. Furthermore, when districts are centered around non-partisan communities of interest, candidates are also able to better meet our needs as constituents. Communities of interest grouped into districts allow constituents to present a united front to their senator, to take action on issues that're unique to their communities.

So, for SB-240, Keene is in District 10 that is crisscrossed across a whole bunch of communities of interest. Let's see. Oh, yeah. Okay. So, lots of towns near Keene are actually split up into different districts in Cheshire County. So, I have friends who live in Winchester, which is District 9 on SB-240. They go to work in Keene, they attend school in Keene, they shop in Keene. I would argue that these folks probably have more in common and would be better represented by a senator who represents them in Winchester and Keene at the same time. Rather than grouping Keene and District 9 and focusing surrounding towns in eight or nine.

So, on SB-240, overall message, I urge the community to please oppose 240 and amend the senate districts to be more competitive and centered around communities of interest like high school SAUs. So, thank you for your time on 240. And then, 241. My name is Sara Lobdell, I'm a voter in Keene New Hampshire, thank you for taking my testimony. Again, I'm gonna speak to how SB-241, the executive districts impact Keene. So again, when districts are competitive, candidates must appeal to a wide range of voters on the issues. And candidates are therefore more likely to serve their constituents' needs. So, on SB-241, Keene is in District 2 with a number of Democrat leaning towns.

Making it again more likely that a Democrat will be elected and that the votes of Republicans and independents will be meaningless, as they will be outnumbered. All voters should have a fair shot at electing candidates that can serve their needs. So, on

the back of this testimony, I have the minority's proposal and the Map-a-thon's proposal for your consideration. The Map-a-thon's proposal, well, both the Map-a-thon's proposal and the minority proposal do a better job of making districts competitive, especially where Keene lies. And the last thing I wanna say on 241 is that I believe I heard Senator Gray say earlier that deviations of around two or less is what he was looking for.

So, if you could please consider the Map-a-thon's proposal. The Map-a-thon's proposal have a population deviation of 2.47, so that's pretty close to the majority's proposal. Thank you for your time. Please oppose and amend SB-241 to be more competitive. Thank you.

Chair Griffin: Thank you and thank you for that comparison to the Map-a-thon map. Representative McGee.

Rep. McGee: Thank you, Madame Chairwoman and thank you for taking my question. As I hear you speak, and you appear to be a young voter. As I hear you speak about your district and your concern –

Chair Griffin: Can you define young?

Rep. McGee: It's like defining woman, I would not go there.

Chair Griffin: Okay.

Rep. McGee: So, my question is, when you're talking about competitive districts and you're outlining a concern for disenfranchising certain voters because their vote won't count. If a district is gonna swing one way or the other then you're gonna feel like voting a different way doesn't really matter. Does that, in your opinion, contribute to voter apathy among people who are coming out to vote and turnout in voting?

Sara: So, your question is if a district leans heavily one way, will folks not show up to vote because they think their vote doesn't matter?

Rep. McGee: Yep.

Sara: I'm not an expert on that, but my hunch as a young voter would be

that yes, often a lot of people I know don't vote in the primaries because they're like oh, the people who really care about these issues will vote and then we'll vote later in the general. And so then in the general, if you feel like you're gonna show up but you're already outnumbered in terms of voters for the other candidate, people yeah, might not show up.

Chair Griffin: Follow up.

Rep. McGee: And the other contributing issue that I can see that I would ask you about is whether a safe district also contributes to not having the elected person be responsible to the voters.

Sara: So, yeah. If a district is safe, will the senator or executive council not be responsive to all voters. Yeah, definitely potential. If they feel like they only need to focus on one tiny chunk of their constituents and meet their needs, then maybe that's the biggest city and their really sprawling district. Yeah, they might not focus on all of the other constituents.

Rep. McGee: Thank you.

Sara: Thank you.

Chair Griffin: Other questions from committee members. Seeing none, thank you very much.

Sara: Thank you.

Chair Griffin: Also signed up to speak on both the bills we're considering this morning is Frank **Carnac**, correct? Welcome. Yeah.

Frank: Thank you Madame Chair, members of the committee for the opportunity to testify today. My name is Frank Carnac, I'm the policy director with the ACLU of New Hampshire. And we are here in opposition to both SB-240 and SB-241. Starting with SB-240. So, we wanted to make sure we could provide an independent data driven analysis of the map in the senate proposal. And so, contracted with an outside firm to provide that independent analysis. And we can conclude from their analysis that this is in fact a partisan gerrymander. Many of the points I wanted to discuss

have already been lifted up, but I will just point out a few things in addition.

From the findings, we can conclude that the partisan lean for Democrat leaning districts is plus 9.11. The partisan lean for GOP leaning districts is 5.04, so a substantial difference there. And I also think it's important to note the scope or the size of the partisan lean is much, much greater for Democrat leaning districts than Republican leaning districts. So, their packing ability was substantial in Democrats. I'll point out that there was only four districts where it was above 10 points, all of those were Democrat leaning districts. And in two of those, it was not only above 10 points, it was actually 19, above 19 points.

And I'll also point out the highest Republican packed district was only 9.4, so more than double. So, I think it's important that voters pick their politicians and not the other way around and with this senate map, the senate map fails to meet that basic test. On the executive council, because there's a new proposal that's been brought, we are still having that analysis conducted. So, I can just speak to the preliminary findings that we have, which is that I think as Ben has alluded to, we have serious concerns, especially with District 2 and the extreme packing there.

And I also think it's important to recognize from reports that it's our understanding that executive counsel members actually asked for this. So, I think you can't get a better example in that case of politicians picking their voters and not the other way around. And so, I will be circulating the additional analysis, as soon as we get it back to the full committee, so you have it in front of you. As well as the original analysis that I mentioned. Happy to answer any questions.

Chair Griffin: Thank you. Before I recognize committee members, you mentioned that you retained a firm to do the analysis. Do you have anything in writing today for us for that analysis?

Frank: Yes. I'll be circulating. So, it was Flow Analytics. And the reason I did not provide before the hearing is, we're still waiting for the updated executive council. And so, I wanted to make sure I could send them together to the floor committee.

Chair Griffin: All right. And so, Flow Analytics is the firm that you retained?

Frank: Yes.

Chair Griffin: And when did the senate pass the senate and the executive council maps, do you recall that date?

Frank: I believe it was the end of January, or around the end of January, early February.

Chair Griffin: I don't think that's right. I'm just gonna look to Olivia. Do you have the date? All right, Olivia. When you have the –

Frank: 15th of February, maybe. But yeah.

Chair Griffin: If you could let me know the dates they were actually approved by the senate, that would be terrific. All right, questions from committee members. Representative Lane.

Rep. Lane: Thank you, Madame Chair. Since we were probably going to vote on these today, could you please provide us with the information as soon as possible?

Frank: Absolutely.

Rep. Lane: Perhaps before the end of this hearing, so that we can have the advantage of looking at it.

Chair Griffin: Or email it to the election law committee through the website if you have anything online, if you don't have copies.

Rep. Lane: Excuse me.

Chair Griffin: Sorry. Sorry, Representative Lane.

Rep. Lane: Will we have time to review that before we go?

Chair Griffin: Yes, we're gonna have a break.

Rep. Lane: Okay.

Frank: Yeah, so I will send the senate version. It includes the senate and the executive council. The executive council maps have been changed since this **[inaudible] [01:29:01]**.

Rep. Lane: I understand, but at least we'd have this.

Frank: So, I'll send you the senate version, yes.

Rep. Lane: Thank you.

Chair Griffin: Thank you. Other questions from committee members? Seeing none, thanks for joining us **[inaudible – crosstalk]**.

[Crosstalk]

Frank: Thank you so much.

Chair Griffin: Also signed up to speak on this is David **Erickson**.

David E.: David Erickson from Weare, New Hampshire. Not being experienced at testifying, I only brought one copy. Should I give it to you, Representative Griffin?

Chair Griffin: Do you need it to testify from? And then you can give it to Representative Rouillard after you're done, would that help? Okay, sure.

David A.: Yeah, it would. Thank you, Representative Griffin and senators.

Chair Griffin: We're all representatives here. The senator has left the room.

David A.: **[Inaudible]** the senator left the room. I didn't intend to testify, but I was so outraged by Senator Gray's testimony, that he could assert that he was just trying to count to 13. I think he counted to 15 at least. So, I'll testify first on Senate Bill 241, which I do ask you all to vote against. I live in Weare, I've taught in the Weare School District and also in the Henniker School District. I would like a senator who would be familiar with the school districts and care about their interests. And so, having them in the same district makes sense to me. I want to, I as a resident of Weare and my neighbors and friends in Dunbarton have in common with those

communities way over on the Connecticut River.

Not much. And many Republican friends of mine in Weare, I believe would be disenfranchised by the district proposed. Because there's no real point in voting for each individual, with it being such a certain thing that the Republican candidate would win. I also wonder if Ruth Ward would really want to have to travel that distance in representing her district. At our town election, on the warrant was the fair maps proposal and overwhelmingly, we voted for it. Can this committee reasonably assert that the proposed senate district maps comply with fair criteria? I don't think so.

As for SB-241, I was working with others in the town to put together a candidate tonight and we hope to include executive council candidates, Dave Wheeler and **Deborah Pignatelli** at the time. And when I called Deborah Pignatelli, she said I'd love to come, but I really have to focus on Nashua. That's where I get the greatest bang for the buck. I'm not going to gain enough votes in Weare to make it worth my while to come up. And that was very dismaying to me.

It seems that if districts were more balanced, then those few votes that she could get in the rural parts of that executive council district, and this was of course the old map, would've been more likely to see her, get to know her and for her to get to know them. So, it's a shame that for expediency, she felt the need to focus on Nashua, pretty much to the exclusion of rural communities. So, please vote against these gerrymandered maps and give us a fair shot and make it so that we're all fairly represented.

Chair Griffin: Thank you very much, does anybody have any questions for Mr. Erickson? Mr. Erickson, if you're willing, Representative Webber has a question for you.

David A.: Yes.

Rep. Webber: Thank you, Mr. Erickson. Following on to your comments of concern about the rural districts, as I represent a rural district myself. Would you agree with me that the council maps, as drawn that we would be voting on today, do an extreme disservice to north country voters because both one and two also contain large

population centers. And therefore, those may be the focus of candidates to the exclusion of the entire north country, as the maps are drawn.

David A.: From my limited experience, down in District 5, I would be afraid that would be the same situation.

Rep. Webber: Thank you, sir.

Chair Griffin: Further questions for Mr. Erickson? Seeing none, thank you very much for coming, Mr. Erickson and we have your written testimony for the record. The last person I have signed up for this, if there's anybody else who wanted to speak, they need to do a pink card, is David **Andrews**. I never know whether to have Mr. Andrews come first with the Map-a-thon or last, but everybody seemed to know the work you'd done, so I thought I'd let you go last so you could go through everything before we break. Welcome. Welcome back.

David A.: Thank you. For the record, my name is David Andrews. I'm from Chichester. I was the lead mapper on the Map-a-thon project. Redistricting is one of the most important things that will be undertaken by this body and by the legislature in New Hampshire. It lasts for 10 years, so 8-year-olds now will be voting on these maps. And the vote that you're about to take is probably going to be the most important one that you make as legislatures. With redistricting, you can choose who you want to have as your representatives, or you can let the voters choose. In that, it's a lot easier to move one town on a map than it is to swing an electorate five percentage points.

It's much easier to pack your opponents into districts than it is to win over their voters, who usually vote for them. There's been a lot of talk today about fair maps and what makes a fair map. And it's been difficult for a lot of people to define this. Both Senator Gray and others, because we don't have criteria. Neither this committee, nor its counterpart in the senate released criteria. If you have criteria, you can look at that and judge maps against each other. We've talked about how there's thousands of maps that can be created. But each are not equal and if you have criteria, you can rank them against each other, based on that criteria.

Whether it's population, competitiveness, compactness, communities of interest, any of those things. You can then rank those maps and throw out the ones that don't come close on any of those metrics that you decide to use. What we did in the Map-a-thon project was, we went out to the voters, the residents of New Hampshire and asked, what's important to you? And that's when we got a list of 63 things that Senator Gray talked about. That were important to people. Then we went back and asked people, what's most important to you? And we got high school SAUs, local hospitals, public health regions, county lines. Those things were the most important things to the residents of New Hampshire.

And thus, we went forward and mapped according to those criteria. We didn't take competitiveness into account until afterwards. I drew hundreds of maps and never did I – well, never did I use competitiveness as a metric when I was drawing a map that I wanted to put forward. I did draw gerrymanders on either side for fun. Specifically for the executive council map and remarkably, the one that's put forth today looks remarkably similar to the Republican gerrymander that I drew probably five days after the 2020 Census was released. So, what I would do is, I would draw according to the criteria and then, afterwards I would look and see if the competitiveness looked reasonable.

New Hampshire being a 50/50 state, you would expect 12/12 or 13/11 or something like that in the senate district. So, that's what I would do. I would go, use the criteria, figure out a map that met most of the criteria and then look and see if it was competitive or not. And that's what I think should be done and should be the process going forward for this body. The 2010 Senate Map, now getting into the senate map. The 2010 Senate Map was already pretty partisanly swung. It's been stated, 50/50 in 2020 and it was a 14/10 split. This currently proposed map goes even further when it doesn't need to.

Senator Gray talked about how the population changed, so we needed to make significant changes to the 2010 map. It's just not true. Yes, we needed to make some changes. If you put the 2010 map with the 2020 Census, you get a deviation of 13.47%. Which is higher than the 10% generally allowed by courts. By moving 10 towns, you can get that deviation to lower than the 7.5% that they

got. Ten towns. Most of which are in the north country, swinging District 1 and 2 around a little bit, gets you most of the way there. One of the most egregious displays of gerrymandering in this current proposal is District 9 and 10. They needed to be balanced.

There was more people in District 9 than District 10. And thus, something needed to be done. All you needed to do was move Richmond from District 9 to District 10 and it balanced out those populations, that's it. But instead, they moved Peterborough and Hancock into District 10, which are Democrat leaning towns. Thus, packing more Democrats into District 10 and swung District 9 all the way from Bedford to Hinsdale, 72 miles. It takes over two hours to drive it. And in doing so, created a new, more republican lean district, rather than the very competitive district, District 9 had been in the last six to eight years.

The least changed map would have moved zero incumbents out of their districts. Instead of the two that were moved. So, if it was about protecting incumbents, this would've done that. If it was about getting the lowest population deviation, this would've done it. So, I can go through and talk about every single little change, I'm not going to. That was made on this senate map. And each one of them is made to give a partisan advantage to the majority party. Moving on to the executive counsel map. Again, the 2010 map was already gerrymandered and very clearly gerrymandered with the dragon district. And yes, this may look a little bit better, but in a partisan sense, this is even worse than the old map.

It moves 4.2% more Democrats into District 2, thus packing Democrats. And then, which leads to District 4 becoming about one percent more Republican. District 5 becoming 1.6% more Republican. And District 1 becoming 4.2% more Republican. So, it's very clear to me what was being done in these maps. Instead of District 2 being a Keene, Concord, Dover district. They made it a Keene, Concord and then Hanover and up into northern Grafton, to grab Democrats up there, rather than going all the way across the state. It may look better, but it's definitely not better. It makes up nine of the 10 counties, when it really doesn't need to at all.

If we had criteria, we could better define a better map. But since we don't have any criteria, people can say that this is the best that

we can do, but it's clearly not. I hope that you will amend both of these bills with maps that are fair in that they are more competitive, more compact. Keep more communities of interest together and I hope that you will look at the Map-a-thon proposals. And I would be happy to help out in any way that I can, including answering any questions you have now.

Chair Griffin: All right, thank you. Mr. Andrews, why don't you just go through the handout real quickly with us because I was bouncing around as you were testifying. And I believe this has been online now, in part or in whole for a few days, but online for a little bit. You go through in the first page and talk about the document and a little bit of the history. And for members who might be watching, I'm flying through this because Mr. Andrews and this committee are familiar with each other from before and the Map-a-thon work.

So, I'm doing this just so when we break here, people have looked at it, so we know what we have. You also have provided a glossary of terms. You have listed in the communities of interest, definitions that you had. Were those the primary ones that you used? It doesn't appear to be all of them, but you listed a few. If you could clarify that, because you talked about the gross number that you began with.

David A.: Yeah, we started out with I believe it was 63 on a list of everyone.

Chair Griffin: Yeah.

David A.: And we whittled it down to five most reasonable ones.

Chair Griffin: Okay. I don't believe there are five listed in your definition. What were the five?

David A.: They were high school districts, shared water systems, shared police and fire, in addition to hospitals and there was a number of different communities of interest that people talked about with concern to **PFAS** and general health and community wellbeing issues. Drug use, those things that we put together and used, I forget the exact, yeah. The public health metric that is released by the Census Bureau, has a chart of the general…

Chair Griffin: So, high schools, water districts, shared police and fire, hospitals and public health?

David A.: Yep.

Chair Griffin: Okay.

David A.: Yeah. And we included –

Chair Griffin: I'm asking Mr. Andrews, as the chair of the committee.

David A.: Oh, sorry.

Chair Griffin: For the benefit of the committee looking at this because the five communities of interest that he mentioned were primary do not appear to be listed anywhere in this document. So, I'm asking him what they are. He could only remember four. Olivia Zinc clarified that public health was the fifth, is that correct?

David A.: Yes.

Chair Griffin: Thank you. Okay. Then you have some conclusions on the executive council proposals. And then you have three maps on, I guess Page 5. And you talk about the minority, majority and Map-a-thon. What is the minority and the majority proposal, what does that mean?

David A.: The majority proposal is the current map that's in the bill that passed the senate. The minority proposal was proposed –

Chair Griffin: In the senate?

David A.: In the senate.

Chair Griffin: Okay. So, that was a senate bill proposed. Okay, great. Thank you for that clarification. And then, you have on the next page, 6, communities of interest which are labeled. And then I believe the next page, you've clearly labeled it 2010 current map, with of course the District 2, which we heard a lot about for 10 years. And then the next page, we have again, this is what you're referring to as the majority proposal currently, that we currently have before

us, correct?

David A.: Yes.

Chair Griffin: Okay. And then the minority proposal, was that another one brought in front of the senate?

David A.: Yep. That's the same map.

Chair Griffin: Okay. And then, that you have your Map-a-thon proposal. All right, then you wrap up with some comments. Great. I just wanted to go through that to make sure I understood what I was looking at. Questions from the committee for Mr. Andrews. Representative Webber.

Rep. Webber: Thank you and thank you Madame Chair for having us go through that because it allows me to look at the actual picture of the 2010 Executive Council Maps and we all heard a lot about the dragon district. And those of us who were there, which is just me, the last time we did this, certainly yelled about that a great deal at that time. But what is bewildering me and what I'd like you to comment on is that not only the sponsor of the current map, but you as well said that this map looks better than what we have now. And to my eye, yes, there is one peculiar district here. and here, we have three exceedingly peculiar districts. So, in what way does this look better than what we have now?

Chair Griffin: Can I interject? It looks fairer. Why don't you go ahead and answer the question.

Rep. Webber: Madame Chair, I really object to that.

Chair Griffin: Continue, go ahead.

David A.: To answer that, one way that is actually generally accepted in courts and other ways in redistricting is whether a district is visually compact. And I would agree that definitely, two and five in this newly proposed map are not visually compact. You could argue that District 1 is kind of. But generally, if you look at a map and you say whether it looks compact or not is… I would argue that you're correct in that this one does look funky.

You have the tendrils that reach out and grab Peterborough and Concord and then up into Grafton. But the old map was very well defined as the dragon district and was well known in that regard. So, it jumps out as being the example of gerrymandering in the last 10 years, and thus, that's why I clarified that that looked worse, probably.

Chair Griffin: Follow up.

Rep. Webber: Thank you Madame Chair and thank you for taking my follow up. And now stepping away from the shapes and considering what is underlying the maps. Would you agree with me that what we have done in changing from the old map to the new map is that we have significantly disadvantaged, pretty much everything north of Concord, in terms of having a representative who both lives in the heard of their district and having a district that has a completely diffused population. A district composed of small towns, small cities and even smaller towns, rather than being connected to significant population centers. Which share even less with the very rural districts.

David A.: Yeah, I think that especially with the executive council map, you can think of it as almost regionally. For instance, when I would draw executive council maps, I would think all right, five districts, what five regions of New Hampshire are there. North of Concord, Keene, Nashua, Manchester, Sea Coast. Those are the five that I think about in my head. And so, that's how I would draw it out because I would think, a lot of the towns north of Concord have a lot more in common with each other than do towns south of New Hampshire.

So, yeah. I agree that it will definitely, it could lead to less representation in the north country, if you get an executive counselor out of Dover and you get one out of Keene, the north country, it's gonna be both difficult for them to travel up there and also, for them to have a sense of community and really know what the residents of those districts really want from their council.

Chair Griffin: Thank you. Further questions? I'm not seeing any. Thank you Mr. Andrews for being here again and staying with this project.

David A.: Thanks.

Chair Griffin: I would like to point out –

Rep. Lane: Excuse me. Excuse me.

Chair Griffin: Oh, did you have a question? I'm sorry, I missed it.

Rep. Lane: Did he go through this one?

Chair Griffin: Yeah.

Rep. Lane: Oh. Sorry, asleep at the switch. Okay, thank you.

Chair Griffin: Okay. I don't have anybody else; I don't have any other pink cards. Before I close the public hearing, you all have received the email from the ACLU in regards to the survey, or analysis that they had done. I'm trying to download the link on my phone. But you have the email with the link presented in it. And Ms. Zinc was very helpful and provided me with the information on when things passed. SB-241 passed with the amendment to create the bill we consider today on March 24th out of the senate. And SB-240 passed out of the senate on February 16th. So, with that, this committee is going to recess. We will be back here at 1:00 to open executive session on these bills.

Thank you. **[No dictation] [01:55:32 - 03:07:10]** All right, good afternoon everybody. It is a few minutes after 1:00. We had some technical difficulties that look like they've been resolved. We are live streaming and being recorded now. As I announced before we broke, about an hour and 10 minutes ago, we are going to have an executive session on the bills we just heard. The notice in the calendar was appropriate and we're going to go forward this afternoon with SB-240 and SB-241. So, with that, I'm going to ask if there's a motion on SB-240. Representative McGuire.

Rep. McGuire: Thank you, Madame Chair. I move all to pass.

Chair Griffin: Is there a second to that motion?

Rep. Lynn: Second.

Chair Griffin: Representative Lynn seconds it. Representative McGuire, would you like to speak to your motion?

Rep. McGuire: Yes, Madame Chair. Senate Bill 240 is the state senate districts as devised by the state senate. They meet all legal and constitutional requirements. The districts are contiguous. The populations are equal within appropriate limits. And therefore, I believe that since we've verified that they meet all requirements, we should support our colleagues in the senate and vote for it.

Chair Griffin: Thank you, Representative McGuire. Further discussion on the motion? Representative Webber.

Rep. Webber: Thank you, Madame Chair. While I agree with my colleagues that we should be very deferential to the wishes of the senate in dealing, just as we hope they are deferential to us in the redistricting of the house. I have to point out that the map that we have been sent has significant defect in it. And one of the things that we heard again and again when we had joint hearings on other issues, but it can't be any different for the senate districts is that our constituents wanted districts that were compact and competitive. And this map provides neither. We have a number of districts, first of all, that have been, the partisan divide in the districts has increased enormously.

So, 15 of the districts are demonstrably now more Republican leaning and the Democratic districts have been packed to that their partisan lean is far, far greater than that of the Republican districts. So, that concerns me for Item No. 1. Item No. 2, which is that communities of interest have been unnecessarily split in forming these maps. You have the most obvious issue is in District 9, which now stretches from the Connecticut River, some 70 miles, some of which are not really following the way the roads go, all the way over to the outskirts of Manchester. There are no interests in common in that district.

And speaking from the Cheshire County perspective, the Cheshire County part of that map is significantly disadvantaged by being outweighed by the population being on the other side of it. District 10, which used to be entirely in Cheshire County, which made a great deal of sense, now includes a couple of Hillsborough County

towns whereas Cheshire County, which is a small county, has been added to parts of four different senatorial districts. We have with respect to the cities, Nashua has been split up and remains split up, but some of the District 12 goes all the way to Rindge and Cheshire County.

Manchester has been split up between three different senatorial districts. And Warden 1 has been connected to Candia, Goffstown, Hookset and Raymond. Again, ignoring communities of interest. And so, I am concerned that this map has really been drawn to preserve the interests of incumbents, to the detriment of creating competitive districts. And so, that's my concern about it and why I won't be voting for it. Thank you.

Chair Griffin: Thank you. Further comments. Representative Lane.

Rep. Lane: Thank you, Madame Chair. While I agree with Representative McGuire it meets the legal requirements, I think we should strive for more than the bare legal requirements. We represent all of our constituents, not just those that are of our party, and we owe them a duty to give them the best maps possible and I do not think that the maps that were proposed and passed in the senate are those maps.

And I would like to say that if we're truly concerned about election integrity the way we talk about and the election law committee, then we need to focus more than just on the security of elections, but we also need to let voters know that they are going to go into the ballot box and – I'm sorry, the voting booth and have a real choice. And that their choice is gonna matter. And under these maps, for many people in New Hampshire, that is not going to be the case. And I think we could do a better job and I had hoped that we would've done a better job. And for that reason, and others, I will not be voting for this map. Thank you.

Chair Griffin: Thank you. Further comments. Seeing none, I'm going to ask the clerk to call the roll, the motion on the floor is OTPSB-240.

Clerk: Thank you, Madame Chairman. Representative Stephen Smith.

Rep. Smith: Yes.

Clerk: Representative Taylor McGuire.

Rep. McGuire: Yes.

Clerk: Representative **Turcotte**.

Rep. Turcotte: Yes.

Clerk: Representative McDonald votes yes. Representative Lynn.

Rep. Lynn: Yes.

Clerk: Representative **Berry**.

Rep. Berry: Yes.

Clerk: Representative Rulard.

Rep. Rulard: Yes.

Clerk: Representative Bergeron.

Rep. Bergeron: No.

Clerk: Representative Lane.

Rep. Lane: No.

Clerk: Representative Piedra.

Rep. Piedra: No.

Clerk: Representative Webber.

Rep. Webber: No.

Clerk: Representative Wilhelm.

Rep. Wilhelm: No.

Clerk: Representative Long.

Rep. Long: No.

Clerk: Representative McGee.

Rep. McGee: No.

Clerk: Representative Griffin.

Chair Griffin: Yes.

Clerk: Seven, eight to seven.

Chair Griffin: The motion carries. SB-240 will be reported to the house as ought to pass. The other bill before this committee to consider today is SB-241. It is open to motion, Representative Bergeron.

Rep. Bergeron: Thank you, Madame Chair. I would move to move Senate Bill 241 with Amendment 2022-1543H and I request to speak to that amendment.

Chair Griffin: Is there a second, Representative Webber seconds it. Representative Bergeron.

Rep. Bergeron: Thank you, Madame Chair. Let me first anticipate probably one of the first question s I will get after I speak, so I won't have to answer it later. And this was unexpected, the Map-a-thon handout that was distributed during the public hearing, relative to the executive council map references a minority proposal and provides some data regarding that minority proposal. That is the proposal that was submitted by the minority in the senate, and it is the proposal that's before you today with the amendment that I just cited. During the public hearing, I think I only asked one question and it was asked of Senator Gray regarding this bill.

Why didn't they just keep the existing districts the way they were because the population fell well within the acceptable range of deviation. And his answer was, given the public testimony we heard and the shape of Executive Council District 2, and he very jointly avoided using the word gerrymandered district, but I'm gonna use it. But he said that was the reason for trying to redraw the map. Unfortunately, or not. The senate plan hacked away the

western portion of District 1, south of Carol and west of Lincoln and moved that into District 2. District 5 has a funny shape, almost like an alligator taking a bite out of Proposed District 2 under Senate Bill 241.

So, now instead of having one oddly shaped executive council district, we have three. The amendment that's before you proposes that District 1 would run south. I'm sorry, geographically, District 1 would remain a large district that encompasses the northern part of the state. It's not split in half as proposed by Senate Bill 241. The districts that we're proposing in the minority proposal try to keep counties intact within the counselor districts as much as possible. And with District 1, it incorporates five entire counties. Coos, Carol, Grafton, Belknap and Sullivan. Rather than a district that's proposed that has seven different counties or pieces of them in that district.

District 2, which was terribly gerrymandered currently and in the proposed senate plan would become a much more compact district under the minority proposal. It would include Merrimack County, Stafford counites and the northwestern part of Rockingham County. District 3 remains similar to the existing district, but places Candia and Hudson in a district and moves Derry into District 4 to balance some population shifts. District 4 becomes more compact. The only town in the proposed district that does not share a border with Manchester is Derry.

And District 5 would not encompass the entirety of Cheshire County and the vast majority of Hillsborough County, including Nashua. That's the major differences between what's being proposed in this amendment and what's before us in Senate Bill 241. And I would appreciate your support for the amendment.

Chair Griffin: Thank you, Representative Bergeron. Further comments on the amendment before us, which is 20221543, Representative McGee.

Rep. McGee: Yes, thank you Madame Chairman. I just noticed in looking at the Map-a-thon breakdown that another comparison chart here lists that the high school SAU splits under the current senate proposal come out to 17 SAUs that're split, their districts are split. And the Map-a-thon version is three. So, it's an improvement there for

something that I know folks were coming out to the hearings and asking for, that there be some regard given for those, so there's a preference there. and also, the county splits, which we discussed in earlier testimony are about half. So, the senate proposal has about nine county splits and the Map-a-thon version has five. So, just for your consideration.

Rep. McGuire: Excuse me, Madame Chair.

Chair Griffin: Representative McGuire.

Rep. McGuire: She's talking about the Map-a-thon proposal. Isn't this the senate minority proposal instead?

Rep. Bergeron: That is correct.

Rep. McGee: Yes, and I believe that the amendment sponsor mentioned that it was the same.

Rep. McGuire: Thank you, I wasn't aware of that.

Rep. Bergeron: If I may, Madame Chair.

Chair Griffin: If you could explain, because it is presented in the Map-a-thon work as the minority proposal.

Rep. Bergeron: Yes, the minority proposal is not the Map-a-thon proposal.

Chair Griffin: Oh, it's not.

Rep. Bergeron: But it's analyzed in the Map-a-thon report. Thank you.

Chair Griffin: Thank you. Further comment on the amendment before the committee, which is 20221543, in regards to the executive council maps. I'm seeing none, so I'm going to ask the clerk to call the roll.

Clerk: Thank you, Madame Chairman. Representative Stephen Smith.

Rep. Smith: No.

Clerk: Representative Taylor McGuire.

Rep. McGuire: No.

Clerk: Representative **Turcotte**.

Rep. Turcotte: No.

Clerk: Representative McDonald votes no. Representative Lynn.

Rep. Lynn: No.

Clerk: Representative **Berry**.

Rep. Berry: No.

Clerk: Representative Rulard. Representative Bergeron.

Rep. Bergeron: Yes.

Clerk: Representative Lane.

Rep. Lane: Yes.

Clerk: Representative Piedra.

Rep. Piedra: Yes.

Clerk: Representative Webber. Representative Wilhelm.

Rep. Wilhelm: Yes.

Clerk: Representative Long.

Rep. Long: Yes.

Clerk: Representative McGee.

Rep. McGee: Yes.

Clerk: Representative Griffin.

Chair Griffin: No.

Clerk: Seven to eight, Madame Chairman.

Chair Griffin: The amendment fails. We have SB-241 in front of us. Are there any further amendments on SB-241? Representative Bergeron, did you wanna bring something forward?

Rep. Bergeron: No, Madame Chair. Thank you. SB-241 is before us. I'm not seeing anybody indicating they have an amendment. Does anybody have a motion to make, Representative Turcotte.

Rep. Turcotte: Thank you, Madame Chair. I move SB-241 as amended by the senate ought to pass.

Rep. Lynn: Seconded.

Chair Griffin: It's been seconded by Representative Lynn, on the floor in front of the committee for vote is SB-241, OTP. Is there any discussion on the motion, Representative Turcotte.

Rep. Turcotte: Thank you, Madame Chair. SB-241 as amended by the senate updates the executive councilor maps, based on the most current census data. It ends up with a deviation just slightly higher than one percent. It removes the old District 2, which there is much consternation over. And lastly, it does meet all constitutional and legal requirements. Thank you, Madame Chair.

Chair Griffin: Further discussion on the motion before the floor, which is OTP SB-241. Representative Lane.

Rep. Lane: Well, if nobody else is – so, while I agree that it replaces the old District No. 2, which is a dragon or a snake, depending on how you wanna call it. It actually ends up with a worse result and is more gerrymandered than the one that was put forth in 2010 and adopted in 2011. And not to sound like a broken record, but I will repeat what I said last time. That we should strive for more than the bare legal requirements. We represent all our voters. I represent the Republican voters in my district. Even though I'm a Democrat, I still represent them and vote for their best interests.

And I think that if you are concerned about election integrity, you want people to have faith in our entire election process, and that includes the redistricting process. And with this map and the other maps, you're discouraging people in lopsided districts to not participate in the vote, voting process. And I would suggest that that does more harm to election integrity than some of the security measures that we have been putting forth in the election law committee. Thank you.

Chair Griffin: Thank you, Representative Lane. Further comment on the motion. The motion on the floor is OTPSB-241. Seeing none, I'm going to ask the clerk to call the roll.

Clerk: Thank you, Madame Chairman. Representative Stephen Smith.

Rep. Smith: Yes.

Clerk: Representative McGuire.

Rep. McGuire: Yes.

Clerk: Representative **Turcotte**.

Rep. Turcotte: Yes.

Clerk: Representative McDonald votes yes. Representative Lynn.

Rep. Lynn: Yes.

Clerk: Representative **Berry**.

Rep. Berry: Yes.

Clerk: Representative Rulard. Representative Bergeron.

Rep. Bergeron: No.

Clerk: Representative Lane.

Rep. Lane: No.

Clerk: Representative Piedra.

Rep. Piedra: No.

Clerk: Representative Webber. Representative Wilhelm.

Rep. Wilhelm: No.

Clerk: Representative Long.

Rep. Long: No.

Clerk: Representative McGee.

Rep. McGee: No.

Clerk: Representative Griffin.

Chair Griffin: Yes.

Clerk: Eight to seven, Madame Chairman. SB-241 will be reported as, ought to pass. I understand the minority report would be ITL with a minority amendment. **[Inaudible] [03:25:19]** with it. And that will be reported. Is there any further business in regards to these items, 240 and 241? All right. We will be having a meeting next Friday. I haven't looked at my email to see if Lindsay, where the emailer notice status is, but we will be having a meeting next Friday, to consider a non-germane amendment to SB-200, which will be a vehicle used by this committee to consider congressional district maps.

Representative: Madame Chair.

Chair Griffin: Yes, Representative.

Representative: We did receive the notice and it said the proposed amendment was on the website. Has it actually been posted on the website, do you know?

Chair Griffin: I don't know, I haven't looked. I will look now though. The actual amendment is supposed to be posted and the amendment itself will

be in the calendar. But as with all the other amendments, I've discussed that I want it on the website. So, we'll see what we can get done. All right. With that, thank you very much everybody for coming today and we'll see you next Friday. Keep a look out on the notice to find out what room we're in. **[No dictation] [03:26:37 - 03:27:35]**

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