

Jan. 18, 2018

To Chair Representative Griffin and House Election Law committee members

**Re: HB 1666 relative to redistricting.**

The League of Women Voters is a non-partisan political organization with 98 years of history of protecting the rights of voters. One of those rights, of course, is knowing that every vote counts. When districts have been drawn so that a particular party will dominate specific districts, even a conscientious voter sees little point in casting a ballot—whether for the candidate almost pre-ordained to win or for the candidate who almost surely will lose. **We urge the committee to vote Ought to Pass on HB 1666.**

The League admits that no districting plan can be perfect. In NH we need to take into account municipal boundaries, contiguity, and statistically small margins and actual numbers of disparity in House seats. Floterial districts came about because of these issues and create their own confusion.

The process described in HB 1666 of testing the actual results of an election following redistricting is a logical way to admit that the districting plan may need improvement. It implies no blame on the legislature nor anyone else. Rather it allows for repair of a problem. That seems like a good thing.

We don't know—in spite of currently drawn districts that may favor one party—which party will be in power in the 2021 General Court charged with redistricting. Therefore this should not be a partisan discussion. Rather it should focus on restoring confidence in the election process, often discussed in other bills last year and this year. Voters need to know that every ballot matters. Potential candidates from either major party need to believe they have a chance of winning in their district if they file and run.

The Concord Monitor published an analysis over a year ago, following the 2016 election, that showed that the NH Senate would have a Democrat majority if the boundaries in place in 2011 had been there instead of those drawn and used to create a Republican majority. (1) In other words, more Democrat votes cast for the Senate candidates did NOT add up to more Democrat Senate seats.

A study by NH Public Radio in December 2016 (2) reinforced the analysis. In the 2016 election, Republicans just barely edged out Democrats for NH Senate seats, 50.4% to 49.6%. But Republicans won 14 districts, Democrats 10. If districts had been drawn without granting an edge to one party, the split would more likely have been 12 to 12, or possibly 13 to 11. But 14 to 10? Where did the Democrat votes go, those 207,000 “wasted votes” cast that didn't influence the outcome?

The Brennan Center for Justice at NYU School of Law (3) has a number of studies on gerrymandering. That isn't a word I want to use at this time, but one of their articles recently made the point that when districts are drawn to benefit one party, “the result is a political system where most electoral battles are fought in primaries and elected officials more and more seem to cater to the partisan extremes that

dominate those contests. It's no wonder then that citizens are left feeling increasingly that their votes — and voices — do not matter." Statistics are available nationwide that I intend to track down—I've read them, just can't find them right now—that show in districts that are heavily slanted to one party often the seats have only one party's candidates filing. The primary becomes the only election that matters, with resultant voter apathy in November.

A post-election statistical analysis compared with computer simulations as described by Jowei Chen (4) would tell us very quickly—in time to change the situation for future state elections—whether the goals of representative democracy have been met by the 2021 redistricting plan. The League of Women Voters New Hampshire strongly urges this committee and the legislature to look beyond partisan interests and vote Ought to Pass on HB 1666.

Respectfully submitted,

Liz Tentarelli, president  
League of Women Voters NH

*Note: paper copies of sources 1 and 2 below were included.*

**Sources:**

(1) "Mapping Out a Winning Strategy" Concord Monitor Dec. 4, 2016 by Allie Morris. Copy attached.

(2) "How Much Did the Shape of NH's State Senate District Shape the Outcome in 2016?" by Casey McDermott for NHPR, Dec. 7, 2016 <http://nhpr.org/post/how-much-did-shape-nhs-state-senate-districts-shape-outcome-2016#stream/0>

I have attached a copy of that article with the colored-coded sections indicated by highlighting: sorry, I don't have a colored printer.

(3) <http://www.brennancenter.org/issues/redistricting>  
Brennan Center for Justice, NY School of Law

(4) [http://www-personal.umich.edu/~jowei/Political\\_Geography\\_Wisconsin\\_Redistricting.pdf](http://www-personal.umich.edu/~jowei/Political_Geography_Wisconsin_Redistricting.pdf)  
This is the method of Jowei Chen cited in the bill. The abstract at least is fairly easy to understand.

<http://www.ncsl.org/research/redistricting/redistricting-commission-bills.aspx>

Research from the National Conference of State Legislatures on ways that states deal with redistricting. I could find in the list of 2017 redistricting bills no reference to a plan like this, but obviously the situation in Wisconsin could have benefited before now from efficiency gap analysis. Have other states done this? I don't know.