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January 29, 2019

To: Chair David Cote and members of the House Election Law Committee

From: Liz Tentarelli, president, League of Women Voters NH LWVNewHampshire@gmail.com

Re: **HB 706**, creating an Independent Redistricting Commission

The League of Women Voters is a non-partisan organization with voting rights at the core of our mission. Central to the power of the vote is the fair apportionment of districts. The League has supported an independent redistricting commission in New Hampshire since 2004, and has testified a number of times since then. We are back today to urge you to recommend **Ought to Pass on HB 706**.

Last week in the hearing on CACR9 on this same topic I spoke to you about democracy's expectation of transparency in government. I gave details of a profound lack of transparency in the 2011 redistricting cycle in New Hampshire, as well as the public's frustration and the legislators' embarrassment. If anyone didn't get a paper copy of my testimony, I can supply that today, and it is online on the Action & Testimony page of our website.

In last week's hearing several questions were raised about the CACR that I believe are well addressed in the current bill.

One committee member asked how this can be considered a **non-partisan** commission when the appointees are chosen by party leaders. HB 706 solves that problem by having the commission members chosen from applicants in a multi-stage process (see page 2 lines 21-38 and p. 3 lines 1-8).

The qualifications for commission members are also quite detailed and exclude those people who have run for or held public office in the 6 years before the selection process. Other partisan activity (other than voting) can also exclude applicants (see page 1 lines 13-31 and page 2 lines 1-4).

The small size of the commission and the **possibility of a "rogue agent"** impeding the work of the commission under CACR9 were other concerns expressed last week that are better addressed in this bill. The commission in HB 706 has 15 members (rather than the 7 in the CACR). Also a process for removal of a member who does not perform up to standards is spelled out (page 3, lines 1-13).

Transparency is supported by a number of provisions in HB 706, including "all meetings of the commission shall be open to the public" (page 3, line 21), a requirement for a public meeting in each county before maps are drawn (page 3, lines 26-27) and in the same section requirements for public notice of meetings and wide dissemination of information about the process and plans (page 3 lines 28-38 and page 4 lines 1-2).

This bill also lays out the **timetable for consideration of the plans by the Legislature** very specifically and the process to be followed if the first plan or a subsequent plan is not approved by the Legislature (page 4 lines 24-38 and page 5 lines 1-4) and (page 5 lines 26-38 and page 6 lines 1-4).

The redistricting **criteria** are slightly different in this bill. The word “contiguous” was a problem last week for one person testifying, which has been resolved by this phrasing: “Districts shall form single boundaries and shall not be bisected or otherwise divided by other districts.” (page 5, lines 12 & 13).

What has not changed and the committee may wish to discuss this further is the last place position of the criterion for respecting the integrity of political boundaries in the order of priorities (page 5, lines 22-23).

The League realizes that eventually the various versions of these redistricting bills should align. The advantage of proceeding with an amended CACR is that the commission would create plans that are binding, while in this bill today the commission must get legislative approval of a plan because that is currently required in the Constitution.

We ask that the committee consider the positive aspects of this bill. **Please support an independent redistricting commission for New Hampshire.**

(no appendix today)