



The Senate of the State of New Hampshire

107 North Main Street, Concord, N.H. 03301-4951

November 5, 2021

Dear Clerk Mistretta,

I am writing to you on behalf of the Senate Election Law and Municipal Affairs Committee. As you are aware, the United States Census Bureau released population data for New Hampshire in August of 2021. Pursuant to Part II, Articles 9 and 26 of the New Hampshire Constitution, the General Court is required to redistrict the House and Senate using decennial census data to achieve substantial population equality across legislative districts. Your city may also be required to draw new ward lines to comport with constitutional one person/one vote principles based on the 2020 census data.

Historically, statutes redistricting the senate have not altered city ward lines. This practice has been appropriate given the fact that the general court and city government each represent city residents and share a common interest in ensuring that citizens are governed under one-person/one-vote principles. However, the general court has the authority to alter city ward lines in a senate redistricting bill. (Compare, Part II, Art. 9 "[T]he legislature shall make an apportionment of representatives according to the last general census of the inhabitants of the state taken by authority of the United States or of this state. In making such apportionment, no town, ward or place shall be divided nor the boundaries thereof altered." with Part II, Art. 26, "And that the state may be equally represented in the senate the legislature shall divide the state into single member districts, as nearly equal as may be in population, each consisting of contiguous towns, city wards and unincorporated places, without dividing any town, city ward or unincorporated place.")

The inclusion of language prohibiting city ward boundaries from being altered in a house-redistricting bill and the exclusion of that same restriction in the constitutional provision governing senate redistricting clearly empowers the general court to alter city ward lines in a senate redistricting bill.

In order to encourage comity between the city governments and the general court in service to our mutual constituents, we ask that each city complete its ward line revisions on or before December 31, 2021. I recognize that this may be difficult in cities that define ward lines in their city charter. If your city requires a charter amendment, I ask that you provide the Election Law and Municipal Affairs Committee with a proposal that the city government intends to put before your city voters for approval. For cities that are capable of redistricting by ordinance, I request that you complete that task in time for the general court to consider these updated ward boundaries in the senate redistricting bill.

I thank you in advance for your anticipated cooperation.

Very truly yours,

A handwritten signature in dark ink, appearing to read "James P. Gray".

Senator James P. Gray

Chairman, Senate Election Law and Municipal Affairs Committee