

Press Release

For Immediate Release

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Governor Lynch Vetoes HB 592; Signs SB 201

CONCORD – Governor John Lynch today vetoed House Bill 592, the House redistricting plan. Also today, Governor Lynch signed into law Senate Bill 201, the redistricting plan for the New Hampshire Senate. The Governor's veto message for HB 592 follows:

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on March 23, 2012, I vetoed HB 592.

The New Hampshire Constitution provides that the House of Representatives shall be "founded on the principles of equality, and representation therein shall be as equal as circumstances will admit." Consistent with this provision, in 2006, the citizens of New Hampshire overwhelmingly adopted a constitutional amendment that further enshrined the principle of equal representation by providing each town and city ward a representative with sufficient population to warrant one.

The right to vote is central to our democratic government. But that right is meaningless unless equal representation is assured when citizens vote. I am vetoing HB 592 because it violates the constitutional principle for equal representation and local representation; it is inconsistent in its treatment of similarly situated towns and wards, and it unnecessarily changes the boundaries of existing districts.

The population of New Hampshire based on the 2010 census is 1,316,470. A straight division into 400 districts yields an ideal population per district of 3,291. Under federal and state law, towns and wards that equal or are within 5 percent of this ideal population are entitled to their own representative. Based on the 2010 census, there are 152 towns and wards in New Hampshire that qualify for their own representative.

HB 592 denies a total of 62 New Hampshire towns and wards their own seats in the House. For example, the towns of Atkinson, Hudson, Meredith, and Pelham all have sufficient population under state and federal constitutional standards to have their own representative, but all are denied their own representative under the House-approved plan. This is completely contrary to what the citizens of New Hampshire called for in the state constitutional

amendment adopted in 2006.

Another significant flaw with the House-approved redistricting plan is that it unnecessarily breaks-up cities and wards.

For example, in Manchester, the state's largest city, HB 592 combines Wards 8 and 9 with the town of Litchfield. Pelham will again share its representatives with Hudson. Strafford will share a representative with New Durham. And Concord's Ward 5 will now be made part of a district that includes the Town of Hopkinton. The leaders and governing bodies of each of these communities have expressed their strong opposition to HB 592, noting that it unnecessarily and unconstitutionally dilutes local representation, and have asked me to veto this bill.

As the Board of Mayor and Alderman in Manchester has expressed, "this is not a partisan issue." "Local municipal budgets are separate, schools are in different districts, police officers and firefighters... belong to different departments and station houses." The same is true in Pelham, Concord, Strafford and all of the towns and wards affected in this manner by HB 592.

Supporters of HB 592 have argued that in crafting a redistricting plan, the legislature must balance the one-person-one-vote principle enshrined in the federal constitution with the requirements for local representation as required by the state constitution. But satisfaction of federal requirements does not require abandonment of the principles of the New Hampshire Constitution. The House-passed plan unnecessarily breaks-up towns and wards.

One of the unique advantages to living in New Hampshire is the ability of citizens to encounter his or her state representative in their daily activities - at the grocery store, in a house of worship, or walking main street. HB 592 undermines that very special quality of life in New Hampshire and the critical component of representative local democracy that is expressed in a commonality of interest among a community's citizens. For all of these reasons, I have vetoed HB 592.

I urge the House to take up my veto quickly in order to allow time for alternative plans to be brought forward, or for litigation in the event of the absence of agreement on a constitutional plan. The House was presented with alternative plans by members of both political parties that would go further to satisfy the requirement for equal representation and fairness. There is still time before the candidate filing period to enact redistricting legislation that will assure equal voting rights of all New Hampshire citizens.