

THE STATE OF NEW HAMPSHIRE
SUPREME COURT

CASE NO. 2022-0184

Theresa Norelli, et. al v. Secretary of State

**MEMORANDUM OF LAW OF AMICI CURIAE STATE SENATE
MINORITY LEADER SENATOR DONNA SOUCY AND HOUSE
MINORITY LEADER REPRESENTATIVE DAVID COTE IN SUPPORT
OF PLAINTIFF THERESA NORELLI, ET AL**

Pursuant to Supreme Court Rule 30, amici curiae State Senate Minority Leader Senator Donna Soucy and House Minority Leader Representative David Cote submit the following memorandum of law in support of the Plaintiffs Theresa Norelli, et al. (hereinafter, “Plaintiffs”):

INTRODUCTION

This matter comes before the court to determine the constitutionality of the New Hampshire congressional district maps. In the below brief, we address the applicable questions presented by the Court’s April 11, 2022 Order.

New Hampshire’s two congressional districts have remained virtually the same for the last 140 years. The longstanding map has remained compact, competitive, and reflective of communities of interest, only making the changes necessary to represent the state’s population shifts. We must update our congressional districts to adjust for the slight population change evident in the 2020 census data. We have suggested a map that would do just that. By shifting one town, Hampstead, from the First Congressional District into the Second Congressional District, our proposed map (hereafter, the “minority map”) corrects the constitutional deficiency while preserving the core of the longstanding prior district.¹ This plan would only change the congressional district of 8,998 Granite Staters.

¹ The minority map was introduced on March 16, 22 as Amendment 2022-1136s to House Bill 52. The bill and the corresponding map are attached as Exhibits C and D in the addendum to this memorandum. Also available at

In contrast, the Republicans seek to use their control of the legislature to, in the words of New Hampshire Republican State Committee Chair Stephen Stepanek “guarantee...send[ing] a conservative Republican to Washington, D.C. as a Congress person in 2022. See John DiStaso, *NH Primary Source: Stepanek guarantees at least one NH Republican will be elected to US House in '22*, WMUR (Jan. 28, 2021), <https://www.wmur.com/article/nh-primary-source-stepanek-guarantees-at-least-one-nh-republican-will-be-elected-to-us-house-in-22/35341751#>. To accomplish this goal, the map proposed by House Republicans, House Bill 52, shifts the congressional district of more than 250,000 Granite Staters.

Both parties know Granite Staters oppose this partisan approach. Over the past seven months, members of the New Hampshire legislature - both Republicans and Democrats - engaged in a statewide listening tour to hear the concerns of Granite Staters in advance of redistricting. Specifically, the Special Committee on Redistricting held in-person, public hearings in all ten New Hampshire counties. These public hearings revealed Granite Staters preference for fair congressional maps - and opposition to explicitly partisan gerrymanders.² Through these meetings and written testimony submitted to the Special Committee on Redistricting, hundreds of Granite Staters expressed their desire to avoid dramatic changes that served the interest of either political party.³ The

http://gencourt.state.nh.us/house/committees/committee_websites/Redistricting_2021/plans/Congressional%20Maps.pdf?mc_cid=52c4b5d600&mc_eid=UNIQID.

² “People are sick and tired of unfair maps and gerrymandering,” stated William Maddocks of Amherst; Kevin Fleming of Exeter “asked that the committee be attentive to be strong and fair and avoid accusations of gerrymandering”; Debra Altschiller of Stratham said the committee “must try hard to avoid gerrymandering and draw fair maps”; Steven Borne of Rye said the committee should “avoid the suspicion of gerrymandering and confirm a transparent process, which is what the citizens of NH want.” *Senate Special Committee on Redistricting*, NH General Court (last accessed Apr. 25, 2021), <http://gencourt.state.nh.us/Senate/committees/Redistricting/>.

³ A good “litmus test to determine whether the process was fair will be what they do with the two Congressional Districts. [...]. The population has not changed enough for any big changes to the Congressional Districts.” Chris Muns, Hampton, Rockingham County Input Session, October 5, 2021. David Andrews Of Chichester testified “that they try to keep the [congressional] districts as they are.” Merrimack County Community Input Session, September 14, 2021; Olivia Zink, of Franklin “added that the Congressional districts have pretty equal population and she would suggest keeping the existing maps.” *Id.*

listening tour also demonstrated that the legislature should adopt a congressional map that makes the least change possible.

Further, over seventy municipalities have passed fair redistricting warrant articles in 2020 and 2021, which specifically demand districts that ensure fair and effective representation and that are not gerrymandered to favor a political party.⁴ While these warrant articles are non-binding, they reflect the will of the people.

It is clear that New Hampshire residents want fair, equitable, non-partisan congressional maps. It is unfortunate that Republicans in the New Hampshire Legislature refused to listen to their constituents and instead put forth a gerrymandered map that Democrats - and Governor Sununu - could not support. Amici support Plaintiffs' attempt to resolve the impasse through the appointment of a special master to ensure Granite Staters receive the representation to which they are constitutionally entitled. Amici believe that the Court should adopt the minority map, which employs the "least change" methodology to keep our districts compact, competitive, and reflective of the communities they represent. This plan should be adopted prior to the June 1, 2022 commencement of the candidate filing period.

As Governor Sununu stated in his April 21, 2022 letter to the Members of the House Special Committee on Redistricting, "NH citizens have made it clear that they want a redistricting map that keeps our districts competitive and holds our incumbents accountable so that no one elected official is immune from challengers or constituent services." We agree.

⁴ See, e.g. Alstead [2021 Art. 20](#); Amherst [2021 Art. 34](#); Andover [2020 Art. 13](#); Atkinson [2021 Art. 21](#); Barrington [2020 Art. 22](#); Belmont [2021 Art. 26](#); Bethlehem [2021 Art. 25](#); Brookline [2021 Art. 21](#); Canterbury [2020 Art. 18](#); Chester [2021 Art. 29](#); Conway [2020 Art. 42](#); Cornish [2021 Art. 15](#); Deerfield [2021 Art. 7](#); Dunbarton [2020 Art. 21](#); Durham [2021 Resolution 21-01](#); Easton [2021 Art. 17](#); Effingham [2020 Art. 27](#); Epsom [2021 Art. 16](#); Exeter [2020 Art. 28](#); Franklin [2021 Resolution 15-21](#); Gilford [2021 Art. 30](#); Gilmanton [2021 Art. 18](#); Goffstown [2020 Art. 14](#); Grafton [2021 Art. 23](#); Hanover [2020 Art. 27](#); Hancock [2021 Art. 13](#); Henniker [2020 Art. 37](#); Hillsborough [2020 Art. 14](#); Hollis [2021 Art. 19](#); Hopkinton [2020 Art. 17](#); Littleton [2021 Art. 43](#); Loudon [2020 Art. 21](#); Lyman [2021 Art. 12](#); Madison [2021 Art. 23](#); Marlborough [2021 Art. 14](#); New Boston [2021 Art. 21](#); Nottingham [2020 Art. 18](#); Pembroke [2020 Art. 13](#); Rollinsford [2020 Art. 9](#); Roxbury [2021 Art. 20](#); Sanbornton [2021 Art. 11](#); Stratham [2020 Art. 20](#); Sugar Hill [2021 Art. 16](#); Tilton [2021 Art. 16](#); Weare [2021 Art. 25](#); Webster [2021 Art. 7](#); Windham [2021 Art. 19](#); Wolfeboro [2021 Art. 36](#). See also, Adam Drapcho, *Voters send clear message to Concord: No redistricting shenanigans*, Laconia Daily Sun (May 4, 2021), https://www.laconiadailysun.com/news/local/voters-send-clear-message-to-concord-no-redistricting-shenanigans/article_5fa3cd94-ad19-11eb-8a74-0b2d596c5b1d.html.

QUESTIONS PRESENTED

The Supreme Court of New Hampshire requested that interested parties file briefs answering the following questions:

1. **Would use of the existing congressional districts, see RSA 662:1, for the 2022 election be unconstitutional either as a violation of one person/one vote or as otherwise alleged in the complaint?**
2. **To determine the time frame for any judicial relief,**
 - A. What is the last date by which the court will have assurance that a congressional reapportionment plan will be validly enacted in time for the 2022 primary election for the purpose of nominating candidates for the United States House of Representatives? *See Below I*, 148 N.H. at 30 (reproducing court’s order dated May 17, 2002); *Burling*, 148 N.H. at 181 (reproducing court’s order dated May 17, 2002).
 - B. And, from the Secretary of State, what amount of time does he believe is required to prepare, print, and distribute ballots in advance of the primary election?
3. **If we conclude that use of the existing congressional districts for the 2022 election would be unconstitutional,**
 - A. Should we apply the “least change” approach to congressional redistricting in this case, as we did for state senate redistricting in *Below I*?
 - B. If “least change” is the correct approach, what measurement or factors should we use to assess “least change?” C. If “least change” is not the correct approach, what approach should we take for congressional redistricting in this case, and what measurement or factors should we use to assess that approach?
4. **Regarding the appointment of a special master,**

- A. Does the party, intervenor, or amicus object to the appointment of Professor Nathaniel Persily as special master? If so, what are the specific grounds for the objection?
- B. Does the party, intervenor, or amicus propose the appointment of someone else as special master? If so, who (name and contact information) should be appointed instead, and what are that person's qualifications to serve as special master?
- C. And, from the Secretary of State and any other interested party that is a State body or State official, is there a New Hampshire Maptitude license to make available for the special master to use for his or her work on this case, or, instead, might it be necessary for the special master to purchase a New Hampshire Maptitude license for this case if the special master does not already have one?

INTEREST OF THE AMICI CURIAE

Senator Donna Soucy is the Minority Leader of the New Hampshire Senate. Senator Soucy has served the residents of the 18th District since 2012. She is a former state representative, who has also served on the Manchester Board of Alderman and on the Manchester School Board

Representative David Cote is the Minority Leader of the New Hampshire House of Representatives. He has served the residents of Hillsborough County District 31 in the House of Representatives since 1982.

SUMMARY OF THE ARGUMENT

This brief addresses the relevant questions posed by the Court's April 11, 2022 Order. *First*, we argue that the existing congressional map is unconstitutional due to population shifts in the newly released decennial Census data. *Second*, we argue the Court should adopt a new congressional map no later than June 1, 2022, which commences the filing period for candidates to participate in the state primary election. *Third*, we advocate that the Court should

adopt a map based on the “least change” approach, which was used by the Minority in drafting its proposed map. *Fourth*, we support the appointment of Professor Nathaniel Persily as Special Master.

ARGUMENT

A. The Existing Congressional Map Unconstitutionally Violates the Fundamental Principle of “One Person, One Vote.”

New Hampshire’s existing congressional map is unconstitutional in violation of Part I, Articles 1, 10, 11, and 12 of the New Hampshire Constitution and Article I, Section 2 of the U.S. Constitution following the release of the 2020 Census data. “Existing apportionment schemes become instantly unconstitutional upon the release of new decennial Census data.” *See Arrington v. Elections Bd.*, 173 F. Supp. 2d 856, 860 (E.D. Wis. 2001) (three-judge court). On August 12, 2021, the United States Census Bureau delivered 2020 Census data to New Hampshire allowing the state to commence its redistricting process, and in doing so, rendered the existing congressional map unconstitutional. Press Release, *2020 Census Statistics Highlight Local Population Changes and Nation’s Racial and Ethnic Diversity*, U.S. Census Bureau (Aug. 12, 2021), available at <https://www.census.gov/newsroom/press-releases/2021/population-changes-nations-diversity.html>.

The Census data confirmed that significant population shifts had occurred in New Hampshire since the last census in 2010. Under the latest Census estimates, the population of the First Congressional District is now 17,945 persons greater than the Second Congressional District. Given this, the current congressional maps violate the fundamental principle of “one person, one vote.” “The Equal Protection Clauses of the New Hampshire and Federal Constitutions demand no less than substantially equal state legislative representation for all citizens.” *Petition of Below I*, No. 2004-361 (N.H. 2004). Further, unlike with state legislative districts, with congressional redistricting, “absolute population equality [is] the paramount objective.” *Karcher v. Daggett*, 462 U.S. 725, 732-33, 103 S.Ct. 2653, 77 L.Ed.2d 133 (1983).

B. The Court Must Adopt a New Congressional Map Prior to June 1, 2022.

This court should move expeditiously to adopt a new congressional map to provide clarity to Granite Staters and potential candidates. Specifically, the Court should ensure a new congressional map has been adopted in advance of the commencement of the candidate filing for the state primary elections. This year, the filing period opens on June 1, 2022 and concludes on June 10, 2022. *See* RSA 655:14 (“...he or she shall file with the appropriate official between the first Wednesday in June and the Friday of the following week.”)

There is no realistic possibility that the legislature will validly enact a congressional redistricting plan in time for declarations of candidacy to be filed in accordance with RSA 655:14. After Governor Sununu promised to veto the Republican map proposed in HB 52, he proposed his own map. In a letter to Senate President Chuck Morse and House Speaker Sherman Packard, he proposed a map that he stated that he would be willing to sign into law because it “keeps our districts competitive, passes the smell test, and holds our incumbents accountable so that no one elected official is immune from challengers or constituent services.” This letter is attached as Exhibit A in the addendum to this memorandum. In a subsequent letter dated April 21, 2022, Governor Sununu conceded that his proposed map does not have the necessary support to advance through the committee. This letter is attached as Exhibit B in the addendum to this memorandum. No alternative maps remain on the table.

This Court should resolve this matter as soon as feasible. As of filing, New Hampshire is one of only two states (together with Missouri) which have thus far failed to adopt new congressional maps. *See What Redistricting Looks Like in Every State*, FiveThirtyEight (last updated April 21, 2022), available at <https://projects.fivethirtyeight.com/redistricting-2022-maps/>. Each day the Court delays in adopting a new map risks reducing the number of days a candidate has to decide to file for public office. While the Secretary of State maintains authority to change the filing period if a new map is not in place, this any such change risks

causing unnecessary confusion and burdens for candidates, voters, city and town clerks, moderators, volunteers, and other local election officials. *See* RSA 655:14-c.

C. The Court Should Apply the “Least Change” Approach to Congressional Redistricting.

The Special Master should adopt a congressional map in accordance with the “least change” methodology, which directs the map drawer to keep as many Granite Staters in their current district as possible. Adopting such a methodology in this matter would align with the approach adopted by this Court in previous redistricting cycles. Most notably, the Court used the “least change” methodology in resolving a dispute over the state house and senate maps after the 2000 Census. *Senator Below v. Gardner*, 148 N.H. 1, 4 (2002) (*Below I*).

In *Below I*, after the New Hampshire Senate and House of Representatives failed to pass new state legislative redistricting plans, Senate Democrats filed a similar petition for original jurisdiction in this Court, which was accepted. *Id.* at 4. There, the Court accepted the “unwelcome obligation” of drawing the legislative maps. We agree with this Court’s recognition in *Below I* that “[r]eapportionment is primarily a matter of legislative consideration and determination.” *Id.* at 5 (citing *Monier v. Gallen*, 122 N.H. 474, 476 (1982)). Yet, because the legislature has failed to adopt a congressional map, we believe the Court’s intervention here, as there, is necessary. *Id.*

In *Below I*, the “[C]ourt...devised a redistricting plan consistent with neutral State and federal constitutional principles.” *Below I*, 148 N.H. at 13. The Court “determined that to remedy the population deviations in existing districts, it is preferable that the *core* of those districts be maintained, while contiguous populations are added or subtracted as necessary to correct the population deviations.” *Id.* In effect, the Court’s plan “imposed the least change for New Hampshire citizens.” *Id.* at 14.

The plan put forth by Democrats during the legislative session, introduced on March 16, 2022 as Amendment 2022-1136s, observed the “least change” principle. A copy of the amendment is attached as Exhibit C in the addendum to

this memorandum. A draft of the proposed map and a list of the towns and cities in each district are attached as Exhibit D in the addendum to this memorandum.

The map, which leaves existing political units intact, accomplishes population equality by moving only one town. By moving Hampstead from the First Congressional District into the Second Congressional District, Democrats were able to devise a map which only changes the district of 8,998 New Hampshire residents, or 0.65% of all Granite Staters. This small change would ensure New Hampshire's two congressional districts are as equal as practicable - 688,739 residents in District 1 and 688,790 residents in District 2, a deviation of +/- 0.0037%.

This methodology stands in stark contrast to the methodology adopted by Republicans in HB 52, which is rooted in cementing "calculated partisan political outcomes" that this Court expressed its distaste for in *Below I*. The map put forth by Democrats demonstrated that New Hampshire can achieve the fair, equitable, and non-partisan maps sought by residents, while providing minimal disruption for voters. The Court should adopt the "least change" methodology.

D. There is No Reasonable Alternative Methodology to the "Least Change" Methodology.

Amici believe that the only reasonable methodology to be used is "least change." We take no position on an alternative methodology.

E. Amici Do Not Oppose the Appointment of Professor Nathaniel Persily as Special Master.

Professor Nathaniel Persily is a well-respected expert on redistricting. He has decades of experience working on redistricting issues on both state legislative and federal congressional maps and has advised on other related issues including independent commissions. He is the author of "When Judges Carve Democracies: A Primer on Court-Drawn Redistricting Plans," an essay which presents guidelines for courts that undertake to draw their own redistricting plans.

Persily has worked as a special master or court-appointed expert in at least six (6) states (Connecticut, Georgia, Maryland, New York, North Carolina, Pennsylvania). Specifically, Persily served as special master on congressional redistricting plans in Connecticut and New York. He is eminently qualified to serve as the special master in this matter and amici believe he will deliver fair congressional maps for the people of New Hampshire.

CONCLUSION

For these reasons, the court should 1) declare the existing congressional map unconstitutional; 2) grant the Special Master until June 1, 2022 to draw a new congressional map; 3) apply the “least change” approach to draft a new congressional map in this case as it did for senate redistricting in *Below I*; and 4) appoint Professor Nathaniel Persily as Special Master.

Dated: April 25, 2022

Respectfully submitted,

Senator Donna Soucy
Representative David Cote
By and through their attorney(s):

/s/ James J. Armillay, Jr.
James J. Armillay, Jr., Esq. #271651
S. Amy Spencer, Esq. #266617
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CERTIFICATE OF COMPLIANCE

I hereby certify that this memorandum of law complies with New Hampshire Supreme Court Rule 16(11) and Rule 22(2). It contains 3,044 words, therefore complying with the 4,000-word limit for memorandum of law.

/s/ James J. Armillay, Jr.
James J. Armillay, Jr. #271651

CERTIFICATE OF SERVICE

I hereby certify that a copy of forgoing was served this 25th day of April, 2022 through the electronic-filing system on all counsel of record.

/s/ James J. Armillay, Jr.
James J. Armillay, Jr. #271651

THE STATE OF NEW HAMPSHIRE
SUPREME COURT

CASE NO. 2022-0184

Theresa Norelli, et. al v. Secretary of State

**MOTION FOR LEAVE TO FILE AN AMICUS BRIEF ON BEHALF OF
STATE SENATE MINORITY LEADER SENATOR DONNA SOUCY AND
STATE HOUSE MINORITY LEADER REPRESENTATIVE DAVID
COTE**

Pursuant to Supreme Court Rule 30(1), State Senate Minority Leader Senator Donna Soucy and State House Minority Leader Representative David Cote move to file an amicus brief. Our brief is attached and filed contemporaneously with this motion. The Plaintiffs and Defendants [assent to/take no position on] the filing of this amicus brief.

WHEREFORE, Amici respectfully request this Honorable Court:

- (a) Accept the brief of undersigned Amici Curiae; and
- (b) Grant any other relief deemed just and proper.

CERTIFICATE OF SERVICE

I hereby certify that a copy of forgoing was served this 25th day of April, 2022 through the electronic-filing system on all counsel of record.

/s/ James Armillay

James Armillay, Esq. (NH Bar #271651)

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ADDENDUM

EXHIBIT A



**STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR**

CHRISTOPHER T. SUNUNU
Governor

March 22, 2022

The Honorable Chuck Morse
President
New Hampshire Senate
State House, Room 302
107 North Main Street
Concord, NH 03301

The Honorable Sherman Packard
Speaker
New Hampshire House of Representatives
State House, Room 311
107 North Main Street
Concord, NH 03301

Dear President Morse and Speaker Packard,

I appreciate your willingness to meet this morning, where we discussed the ongoing redistricting process.

Attached to this letter you will find a draft Congressional redistricting map that I would sign should it reach my desk. This is certainly not the only solution, but hopefully will be helpful. It keeps our districts competitive, passes the smell test, and holds our incumbents accountable so that no one elected official is immune from challengers or constituent services.

There is still enough time in this process to deliver a map for our citizens that gets the job done, and I hope you will continue to work to get something done through the legislative process that meets the expectations of our citizens. They are counting on us to get this right.

Sincerely,

A handwritten signature in blue ink that reads "Christopher T. Sununu".

Christopher T. Sununu
Governor

Governor Proposal

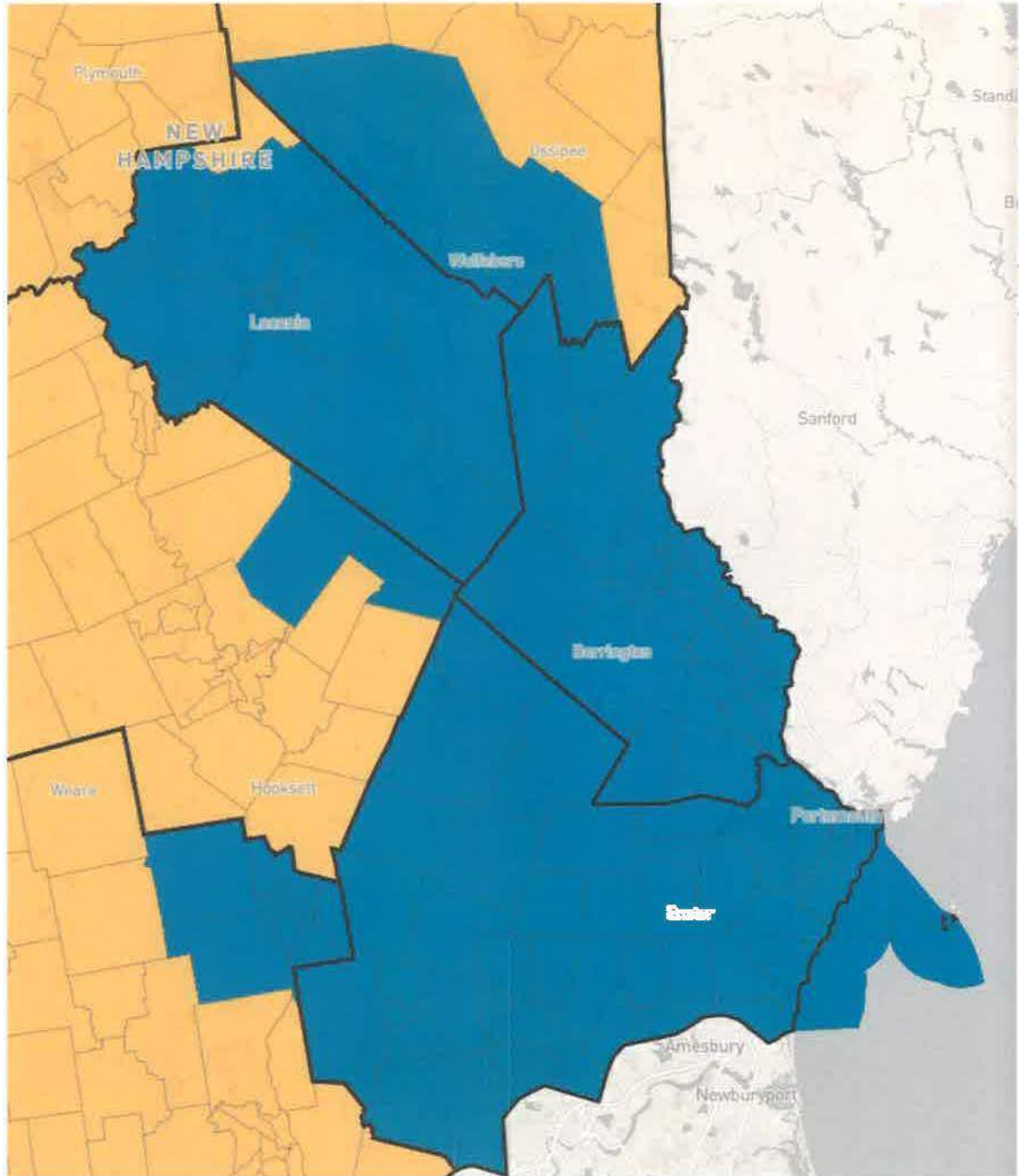


EXHIBIT B

April 21, 2022

Dear Members of the House Special Committee on Redistricting,

I would like to thank the members of the committee for their time and dedication to the redistricting process and for holding a committee hearing on amendment #2022-1523h to Senate Bill 200.

My office has been in communication with members of the committee to gather their thoughts on the proposed amendment. Based on those conversations, it is clear this amendment "as is" does not have the support of the majority of the committee members. One of the common concerns raised during these conversations was the deviation in population between the two districts proposed in the amendment. I appreciate the concerns that have been raised and believe this could be easily addressed by moving one or two towns.

The amendment is one of many potential solutions, and I am supportive of amendments that would look to further reduce population deviations to address the concerns of committee members. There are many avenues this committee can consider, and I look forward to seeing what other opportunities this committee brings to the table that can pass. NH citizens have made it clear that they want a redistricting map that keeps our districts competitive and holds our incumbents accountable so that no one elected official is immune from challengers or constituent services.

Sincerely,



Christopher T. Sununu

EXHIBIT C

Floor Amendment to HB 52

1 Amend RSA 662:1 as inserted by section 1 of the bill by replacing it with the following:

2

3 662:1 U.S. Representative Districts. The state is divided into 2 districts for the choosing of
4 representatives in the congress of the United States. Each district may elect one representative. The
5 districts shall be constituted as follows:

6 I. The first district is constituted of:

7 (a) The counties of:

8 (1) Carroll, and

9 (2) Strafford; and

10 (b) In the county of Belknap, the towns and city of:

11 (1) Alton,

12 (2) Barnstead,

13 (3) Belmont,

14 (4) Gilford,

15 (5) Gilmanton,

16 (6) Laconia,

17 (7) Meredith,

18 (8) New Hampton,

19 (9) Sanbornton, and

20 (10) Tilton; and

21 (c) In the county of Grafton, the town of:

22 (1) Campton; and

23 (d) In the county of Hillsborough, the towns and city of:

24 (1) Bedford,

25 (2) Goffstown,

26 (3) Manchester, and

27 (4) Merrimack; and

28 (e) In the county of Merrimack, the town of:

29 (1) Hooksett; and

30 (f) In the county of Rockingham, the towns and city of:

31 (1) Auburn,

Floor Amendment to HB 52
- Page 2 -

- 1 (2) Brentwood,
- 2 (3) Candia,
- 3 (4) Chester,
- 4 (5) Danville,
- 5 (6) Derry,
- 6 (7) East Kingston,
- 7 (8) Epping,
- 8 (9) Exeter,
- 9 (10) Fremont,
- 10 (11) Greenland,
- 11 (12) Hampton,
- 12 (13) Hampton Falls,
- 13 (14) Kensington,
- 14 (15) Kingston,
- 15 (16) Londonderry,
- 16 (17) New Castle,
- 17 (18) Newfields,
- 18 (19) Newington,
- 19 (20) Newmarket,
- 20 (21) Newton,
- 21 (22) North Hampton,
- 22 (23) Nottingham,
- 23 (24) Plaistow,
- 24 (25) Portsmouth,
- 25 (26) Raymond,
- 26 (27) Rye,
- 27 (28) Sandown,
- 28 (29) Seabrook,
- 29 (30) South Hampton, and
- 30 (31) Stratham.

31 II. The second district is constituted of:

- 32 (a) The counties of:
- 33 (1) Cheshire,
- 34 (2) Coos, and
- 35 (3) Sullivan; and
- 36 (b) In the county of Belknap, the town of:
- 37 (1) Center Harbor; and

Floor Amendment to HB 52

- Page 3 -

- 1 (c) In the county of Grafton, the towns, city, and unincorporated place of:
2 (1) Alexandria,
3 (2) Ashland,
4 (3) Bath,
5 (4) Benton,
6 (5) Bethlehem,
7 (6) Bridgewater,
8 (7) Bristol,
9 (8) Canaan,
10 (9) Dorchester,
11 (10) Easton,
12 (11) Ellsworth,
13 (12) Enfield,
14 (13) Franconia,
15 (14) Grafton,
16 (15) Groton,
17 (16) Hanover,
18 (17) Haverhill,
19 (18) Hebron,
20 (19) Holderness,
21 (20) Landaff,
22 (21) Lebanon,
23 (22) Lincoln,
24 (23) Lisbon,
25 (24) Littleton,
26 (25) Livermore,
27 (26) Lyman,
28 (27) Lyme,
29 (28) Monroe,
30 (29) Orange,
31 (30) Orford,
32 (31) Piermont,
33 (32) Plymouth,
34 (33) Rumney,
35 (34) Sugar Hill,
36 (35) Thornton,
37 (36) Warren,

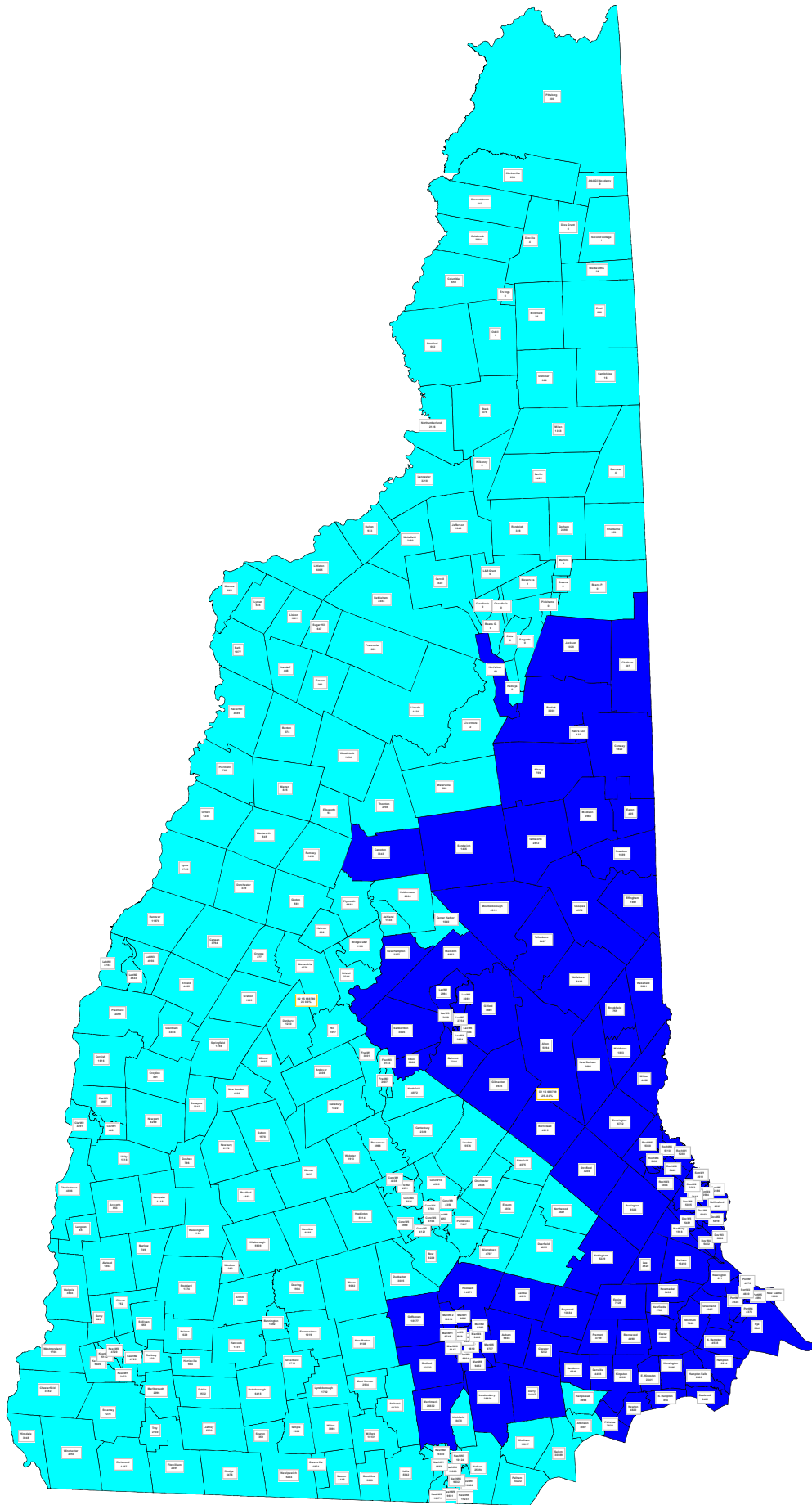
Floor Amendment to HB 52
- Page 4 -

- 1 (37) Waterville Valley,
- 2 (38) Wentworth, and
- 3 (39) Woodstock; and
- 4 (d) In the county of Hillsborough, the towns and city of:
- 5 (1) Amherst,
- 6 (2) Antrim,
- 7 (3) Bennington,
- 8 (4) Brookline,
- 9 (5) Deering,
- 10 (6) Frankestown,
- 11 (7) Greenfield,
- 12 (8) Greenville,
- 13 (9) Hancock,
- 14 (10) Hillsborough,
- 15 (11) Hollis,
- 16 (12) Hudson,
- 17 (13) Litchfield,
- 18 (14) Lyndeborough,
- 19 (15) Mason,
- 20 (16) Milford,
- 21 (17) Mont Vernon,
- 22 (18) Nashua,
- 23 (19) New Boston,
- 24 (20) New Ipswich,
- 25 (21) Pelham,
- 26 (22) Peterborough,
- 27 (23) Sharon,
- 28 (24) Temple,
- 29 (25) Weare,
- 30 (26) Wilton, and
- 31 (27) Windsor; and
- 32 (e) In the county of Merrimack, the towns and cities of:
- 33 (1) Allenstown,
- 34 (2) Andover,
- 35 (3) Boscawen,
- 36 (4) Bow,
- 37 (5) Bradford,

Floor Amendment to HB 52
- Page 5 -

- 1 (6) Canterbury,
- 2 (7) Chichester,
- 3 (8) Concord,
- 4 (9) Danbury,
- 5 (10) Dunbarton,
- 6 (11) Epsom,
- 7 (12) Franklin,
- 8 (13) Henniker,
- 9 (14) Hill,
- 10 (15) Hopkinton,
- 11 (16) Loudon,
- 12 (17) Newbury,
- 13 (18) New London,
- 14 (19) Northfield,
- 15 (20) Pembroke,
- 16 (21) Pittsfield,
- 17 (22) Salisbury,
- 18 (23) Sutton,
- 19 (24) Warner,
- 20 (25) Webster, and
- 21 (26) Wilmot; and
- 22 (f) In the county of Rockingham, the towns of:
- 23 (1) Atkinson,
- 24 (2) Deerfield,
- 25 (3) Hampstead,
- 26 (4) Northwood,
- 27 (5) Salem; and
- 28 (6) Windham.

EXHIBIT D



Whole state
Minority

Congressional Redistricting

WHOLE_STATE

Towns	Dist#	Seats	Deviation
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Albany			
Alton			
Auburn			
Barnstead			
Barrington			
Bartlett			
Bedford			
Belmont			
Brentwood			
Brookfield			
Campton			
Candia			
Chatham			
Chester			
Conway			
Danville			
Derry			
DovW1			
DovW2			
DovW3			
DovW4			
DovW5			
DovW6			
Durham			
E. Kingston			
Eaton			
Effingham			
Epping			
Exeter			
Farmington			
Freedom			
Fremont			
Gilford			
Gilmanton			

Goffstown
Greenland
Hale's Loc
Hampton
Hampton Falls
Hart's Loc
Hooksett
Jackson
Kensington
Kingston
LacW1
LacW2
LacW3
LacW4
LacW5
LacW6
Lee
Londonderry
Madbury
Madison
ManW1
ManW2
ManW3
ManW4
ManW5
ManW6
ManW7
ManW8
ManW9
ManW10
ManW11
ManW12
Meredith
Merrimack
Middleton
Milton
Moultonborough
New Castle
New Durham
New Hampton

Newfields			
Newington			
Newmarket			
Newton			
N. Hampton			
Nottingham			
Ossipee			
Plaistow			
PortW1			
PortW2			
PortW3			
PortW4			
PortW5			
Raymond			
RochW1			
RochW2			
RochW3			
RochW4			
RochW5			
RochW6			
Rollinsford			
Rye			
Sanbornton			
Sandown			
Sandwich			
Seabrook			
SomW1			
SomW2			
SomW3			
SomW4			
SomW5			
S. Hampton			
Strafford			
Stratham			
Tamworth			
Tilton			
Tuftonboro			
Wakefield			
Wolfeboro	1	1	-0.0%

Acworth
Alexandria
Allentown
Alstead
Amherst
Andover
Antrim
Ashland
Atkinson
Atk&Gil Academy
Bath
Beans G.
Beans P.
Bennington
Benton
Berlin
Bethlehem
Boscawen
Bow
Bradford
Bridgewater
Bristol
Brookline
Cambridge
Canaan
Canterbury
Carroll
Center Harbor
Chandler's
Charlestown
Chesterfield
Chichester
ClarW1
ClarW2
ClarW3
Clarksville
Colebrook
Columbia
ConcW1
ConcW2

ConcW3
ConcW4
ConcW5
ConcW6
ConcW7
ConcW8
ConcW9
ConcW10
Cornish
Crawfords
Croydon
Cutts
Dalton
Danbury
Deerfield
Deering
Dixs Grant
Dixville
Dorchester
Dublin
Dummer
Dunbarton
Easton
Ellsworth
Enfield
Epsom
Errol
Erving
Fitzwilliam
Francestown
Franconia
FranW1
FranW2
FranW3
Gilsum
Gorham
Goshen
Grafton
Grantham
Greenfield

Greens
Greenville
Groton
Hadleys
Hampstead
Hancock
Hanover
Harrisville
Haverhill
Hebron
Henniker
Hill
Hillsborough
Hinsdale
Holderness
Hollis
Hopkinton
Hudson
Jaffrey
Jefferson
KeenW1
KeenW2
KeenW3
KeenW4
KeenW5
Kilkenny
Lancaster
Landaff
Langdon
LebW1
LebW2
LebW3
Lempster
Lincoln
Lisbon
Litchfield
Littleton
Livermore
Loudon
L&B Grant

Lyman
Lyme
Lyndeborough
Marlborough
Marlow
Martins
Mason
Milan
Milford
Millsfield
Monroe
Mont Vernon
NashW1
NashW2
NashW3
NashW4
NashW5
NashW6
NashW7
NashW8
NashW9
Nelson
New Boston
New Ipswich
New London
Newbury
Newport
Northfield
Northumberland
Northwood
Odell
Orange
Orford
Pelham
Pembroke
Peterborough
Piermont
Pinkhams
Pittsburg
Pittsfield

Plainfield
Plymouth
Randolph
Richmond
Rindge
Roxbury
Rumney
Salem
Salisbury
Sargents
Second College
Sharon
Shelburne
Springfield
Stark
Stewartstown
Stoddard
Stratford
Success
Sugar Hill
Sullivan
Sunapee
Surry
Sutton
Swanzey
Temple
Thornton
Meserves
Troy
Unity
Walpole
Warner
Warren
Washington
Waterville
Weare
Webster
Wentworth
Wentworths
Westmoreland

Whitefield
Wilmot
Wilton
Winchester
Windham
Windsor
Woodstock 2 1 0.0%

Total seats = 2

Deviation Range is -0.0% to 0.0%
or 0.0% overall

State Total Seats = 2

State Deviation Range is -0.0% to 0.0% or 0.0% overall