

Dear Chairman Gray and Members of the Senate Election Law & Municipal Affairs Committee:

Our State Constitution establishes that government officials ought to be accountable to the people of the state; that “the magistrates and officers of government” are the people’s “substitutes and agents.”

The State Constitution also places a great deal of trust in the legislators of the General Court to perform their duties in the service of the people and for the general good, rather than for personal or partisan gain. Currently, it is the legislature’s responsibility to define the districts that its members will represent in future elections, following a census. The constitution gives legislators few restrictions when proposing districts, only requiring the districts to be contiguous and not subdivide towns, city wards, or unincorporated places and that districts not vary widely in size with regard to population. There are obvious incentives for legislators to propose districts that favor themselves or their party during this process; when this happens, the public trust in the government is threatened. Thus, the General Court has a heavy responsibility to uphold the public trust during this process. Unfortunately, I do not think they always have. The state Senate and Executive Council districts drawn following the 2010 Census make little sense from a perspective of promoting effective regional representation – they split councils, school districts, cities, and watersheds – and the planning process underlying their design is unclear to me.

Similarly, I do not understand the priorities underlying the districts proposed in this session by the majority. What logic and principles of good government resulted in a situation where towns that share fire departments will have separate representatives in the state Senate? Why was this arrangement of districts proposed when others can be drawn that more closely adhere to the Constitutional requirement that the Senatorial Districts be, “as nearly equal as may be in population.”?

The people of New Hampshire deserve to understand the principles underlying legislation I am in opposition to the districts proposed in the amendment to SB 240, and hope that the Senate will put forward a replacement bill that is responsive to the State Constitution, both with regard to the mandates in Part 2 Article 25 (district contiguity, population equivalence, no subdivision of towns and wards) and the responsibility of accountability to the public trust emphasized in Part 1 Article 8.

Thank you for your time and consideration.

*Ian H. Burke*

*Keene, NH*

*January 10, 2022*