

Re: Apportionment Proposed House Map for BCA Review



Vermont Municipal Clerks Treasurers Association <VM

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From: Vermont Municipal Clerks Treasurers Association <VMCTA@list.uvm.edu> on behalf of Diana Vachon <dvachon@SHELBURNEVT.ORG>

Sent: Friday, October 22, 2021 1:25 PM

To: VMCTA@LIST.UVM.EDU <VMCTA@LIST.UVM.EDU>

Subject: Re: Apportionment Proposed House Map for BCA Review

The acceptable "overall" (state wide) deviation is not more than 5% in either direction for a total of 10%. I got this from Tom Little:

"The law requires the Apportionment Board to use a methodology that looks at each legislative district's percentage deviation from the "apportionment standard," which is the state's total population divided by the number of House members - 150. Under the 2020 Census, the apportionment standard for a single-member House district is 4,287 residents or 8,574 for a two-member House district.

Each existing House district has a positive or negative *deviation percentage*. For example, a House district with a population of 4,550 has 263 residents over the apportionment standard, and a deviation of +6.13%. A district with a population of 4,112 has 157 residents under the standard, a deviation of -3.66%. The difference between the district with the highest positive deviation and the lowest negative deviation is the "overall deviation" of the proposal. The 2020 Census shows that we have many House districts with individual deviations greater than -10% and greater than +10%, for an overall deviation of well over 20%.

The law requires House and Senate districts to have "minimum" deviation percentages. The law does not define "minimum," but Vermont and U.S. Supreme Court decisions tell us an overall deviation under 10% (i.e., where the greatest negative deviation is not more than -5% and the greatest positive deviation is not more than +5%) is presumptively constitutional and one at 16% or more may not be (the Courts have not specified a hard-and-fast deviation limitation).

In addition to the overall deviation, the Board and the Legislature are guided by three statutory directives wherever possible: (1) preservation of existing political subdivision lines; (2) recognition and maintenance of patterns of geography, social interaction, trade, political ties and common interests; and (3) use of compact and contiguous territory. When ruling on a challenge to a redistricting plan, the courts give significant weight to these non-numerical factors.

More information is available on the LAB website, <https://sos.vermont.gov/apportionment-board/>

Tom Little, Apportionment Board Chair, can be reached at Tom.Little@partner.vermont.gov"

Have a great weekend!

Diana

Diana Vachon, CMC, CVC
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