

LEGISLATIVE APPORTIONMENT BOARD (LAB)
Title 17, Chapter 34A, Vermont Statutes Annotated
<https://sos.vermont.gov/apportionment-board/>

November 15, 2021
9:00 – 11:00 A.M.

DRAFT MINUTES
Meeting at Secretary of State's Office, 128 State Street, Montpelier
(Telephone Conference Call Participation Available)

Members Present: Rob Roper

Members Present Remotely: Tom Little, Ed Adrian, Mary Houghton, Jeremy Hansen, Jeanne Albert, Tom Koch

Others Present: Chris Winters

Other Present Remotely: Eric Covey, Michael Chernick, Mia Kro

Members of the Public Present Remotely: Edward Cafferty, Peter Carbee, Robert Bristow-Johnson

Join Zoom Meeting

<https://us02web.zoom.us/j/85421921808?pwd=dDJBQkxVY2pCd0Z6ckFweTZBcXozQT09>

Meeting ID: 854 2192 1808

Passcode: 237462

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1. Call to Order

Tom L. called the meeting to order at 9:01am.

2. Review and Approval of Minutes of November 8, 2021 Meetings (5 Minutes) (all times approx.)

Jeremy moved to accept the meeting minutes of the November 8th meeting as presented. Mary seconded. Vote was unanimous in favor with one abstention (Ed Adrian).

3. Public Comment (per 1 V.S.A. sec. 312(h))

Member of the public Peter Carbee attended representing the Board of Civil Authority (BCA) for the Town of Washington, expressing their disapproval of the current House map (single-district) proposal, and of having the Town of Washington split among multiple districts. Peter Carbee read their “vehement disagreement” as submitted in their BCA feedback form. Peter outlined the challenges of the town being split up between east and west, and the BCA’s disapproval of the LAB’s proposal.

Jeremy asked if splitting the town in a north/south manner would alleviate some of the concerns. Peter said that it would be preferable over an east/west split, in his personal opinion, but could not speak for other board members.

Tom L. asked if the BCA discussed whether the current district as is would be preferable. Peter said it would be preferable to stay the way it currently is, which is a two-member district, though he is not sure if that is the direction the LAB will take.

Tom K. raised that they heard from Corinth that they do like the change to those districts.

4. Review and Discuss Initial Responses and Questions from Boards of Civil Authority to Tentative House Districts Map

Chris Winters provided an update that the feedback BCAs have submitted has been published to the LAB Resources page on the website, and has been emailed, with 114 towns responding so far.

Tom L. asked if others have any overall reflections on what they have read from the BCA feedback. Tom K. said that they have been mixed between people that do and do not like the proposal.

Jeanne said for her it has been helpful to divide the feedback into buckets. One, for instance, being a request or preference that the LAB cannot accommodate, like a town that is larger than an appropriate district size, but that doesn’t want to be divided. Another bucket is where one town’s preferences are at odds with another town’s. Another bucket is those towns where their preferences are not at odds with another town and could potentially be accommodated.

Tom L. gave an example of the first bucket: the portion of Georgia being grouped in with Milton. Jeanne says that yes, that example would fit, if they’re saying both that they don’t want

to be divided, but that also doesn't want to be in a two-member district with other towns, i.e., be their own district, but have, like in the example of Georgia, an approximately + 13% population deviation. Tom L. and Jeanne discussed the different buckets feedback submissions can be divided into.

Mary reflected that the BCA feedback reports seemed to be split, but the biggest theme she saw is a request to not split the town.

Tom L. mentioned a question from Georgia he received which he answered, and clarified that no, voters would not be required to go to other towns to vote. Tom K. also discussed concerns he has heard from places where voters would be split amongst districts.

Jeremy asked the Secretary of State's office staff if the SOS office would be able to provide support and resources for towns newly split among multiple districts as they transition to voting in more than one House district. Chris Winters replied that the SOS office would provide assistance to those towns.

Jeanne pointed out she has noticed in the BCA reports that there's a widespread belief that a 10% deviation is acceptable.

Tom L. asked Ed for his reflections. Ed pointed out that with the number of towns across the state, there are a number of people that aren't going to be happy. He thinks it's worth noting this will never turn out as a map everyone's happy with.

Tom L. would like to get a sense from the LAB on how they would like to proceed taking in the BCA feedback, processing the feedback and creating a framework for how to move forward towards a final map – would the LAB still like to look towards a single member district map, or would they consider two-member districts?

Tom K, would like to remain with a goal of single member districts, perhaps starting with the bottom of the state and working through feedback.

Rob would also like to stay committed to single member districts, while attempting to prevent the splitting of towns.

Jeanne does not believe there is any justification for ignoring the feedback when the LAB has the tools to address their issues they have raised.

Ed is torn between his personal preferences of single member, and his understanding that all change is hard, and Jeanne's comments about the preferences of the BCAs. So, he is leaning towards considering two-member districts, but trying to make as few as possible, while having a bright line (either BCA feedback or town subdivision) that could act as the deciding factor for any given district.

Mary agrees the responses from the BCAs should be taken seriously, and when they're requesting something that is possible, especially when it represents an improvement, they should


do that, including opening up to two-member districts. She does not have an objection to *more* single member districts. Mary believes within the software, having a “bright line” as Ed mentioned was difficult.

Tom L. asked Ed for clarification, and Ed clarified he just meant it’s impossible to accommodate every BCA request, and there should be clear lines of which reasons the LAB accepts or denies a given request, so clear lines on what is accommodated for will help ensure equity and fairness.

Tom L. recalled that in 2012 the LAB’s proposed map to the Legislature was focused on single member districts, but wound up with approximately 25 two-member districts.

Tom L. believes the work to edit these maps will take some significant time over the course of these next few days.

Tom and Jeanne discussed their goal of seeking to subdivide the towns as little as possible.

Rob believes if you can subdivide a town  within the exterior border of a town, then that’s what the LAB should do. Jeanne said that this approach disregards the feedback from the towns. Rob also raised that the posted survey results said 75% of Vermonters supported single member districts. Jeanne pointed out this sample was not a representative sample: it was promoted by interest groups amongst their members.

Tom L. said it’s clear this is a divide within the LAB. His concern is finding a process that will allow the LAB to get to a map or maps that they can vote on. He raised Ed’s idea on how to evaluate the BCA feedback from a statewide perspective.

Ed pointed out Jeanne’s points, that the LAB should take in the BCA feedback when possible, but he also pointed out to Rob, Tom and Jeremy that he believes getting as few, but still allowing for some, two-member districts as possible, was a fair compromise.



Jeanne pointed out that the easiest BCA feedback bucket to consider is the one with towns that ask for a ‘status quo’ two-member district, that does not impact any other districts.

Tom L. believes the only way they’re going to be able to do this is by seeing it on a map. Jeanne pointed out she has been trying to work with her map to respond to some of the feedback.

Rob provided his availability, and asked about others, for getting together this week in-person. Others provided their availability, and Chris indicated that the Secretary of State’s office will have staff present to support the LAB.

Jeanne, Jeremy, Ed and Tom L. discussed the statutory obligations of the LAB.

5. Discussion of Senate Redistricting

Tom L. updated members that he and Jeanne have been taking a look at mapping, specifically the Chittenden district area.

Tom L. said that progress will need to be made on these efforts.

6. Updates from Legislative Counsel, Vermont Center for Geographic Information, Secretary of State's Office

None.

7. Set Next Meeting Date; Other Business

The LAB will conduct work sessions on Tuesday, November 16th from noon-4 pm and Wednesday, November 17th from 10 am-2 pm as a placeholder.

8. Adjourn

Jeremy moved to adjourn, Ed seconded. Unanimous vote in favor of adjourning at 10:46am.