

Vermont Legislative Apportionment Board (LAB) 09.27.2021 Meeting Minutes

Members Present: Tom Koch, Rob Roper

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

Others Present: Chris Winters

Others Present Virtually: Eric Covey, Andy McLean, Nick Cook, Michael Cherknick, Amerin Aborjaily, Bob Kinzel

1. Call to Order

The meeting was called to order 9:03 by Tom Little.

2. Past Meeting Minutes

Minutes from the 09/20/2021 meeting were moved to adoption by Jeremy Hansen, seconded by Jeanne Albert and approved by unanimous vote.

3. Public Comment

Public comment: Member of the public Nick Cook introduced himself. He is a student from Jericho interested in the process. He spoke in support of single member districts, and in support of keeping Huntington in a Senate district with the other town members of the Chittenden East district. Member of the public Andy McLean viewed prior meeting minutes and the discussion about the statutory duties of the LAB. He is from the Windham-Bennington House District. He discussed the statutory charge to create homogenous districts, and that the lack of competitive races in some areas may be a sign of success. He said his belief was that the statute was to start a conversation within the LAB, to invite more voices into the conversation, for instance not making a “map that doesn’t see color” as stated in a previous LAB meeting by a LAB member. He believes that the statute that governs the LAB is beautiful, but counterintuitive, and should be used to increase diversity in candidates and elected officials.

4. Discussion on Single or Multi Member Districts

Tom Little began discussion on the question of whether the Board should be focused on single or two member districts, looking for a consensus to aid the Board when making decisions during its map work, recognizing it won’t solve all individual choices. He referred the Board members to a draft one-page synopsis, a copy of which is attached to these Minutes.

Jeremy Hansen said he is not sure that the Board needs to adopt the synopsis.

Tom K. said he also does not think a vote is necessary.

Jeanne asked if official action is needed, and suggested using the summary as a guide, saying that it’s a great summary of the law, but doesn’t think it needs to be a vote.

Rob agreed, saying that the law is the law, and they need to follow the guard rails of the law and their statutory requirements while doing their work.

Tom K. believes they can still work on developing the best maps they can, with recommendation of as many single member districts as possible, while obeying municipal boundaries.

Tom L. believe that the Legislature is expecting a single recommendation for a Senate and House map, but that the Board could possibly send backups. However, it is possible that the vote on the final maps to present for recommendation may be a divided vote.

Tom L. also shared that the town/Board of Civil Authority feedback process was very important in 2012, and expects it to be here as well.

Jeremy recommended that the language from Tom L.'s summary be included in the report to the Legislature.

Ed says he believes that Tom L.'s summary left out "empirical facts," saying that the cost of running in a two-member district was two times higher as opposed to single member districts. Ed said that statute and caselaw is what it is, but agrees with Rob that between those guardrails they are free to consider other factors. He asked if the meeting minutes could be where this summary was placed.

Tom L. said that if the Board wanted to debate the cost issue they could, as there may be differing opinions, but that the summary document was to provide a framework for the Board's discussions.

Mary disputed Ed's assertion of cost, saying that it is unproven. Ed said he believes it's an indisputable fact, saying if you have two times as many voters to reach it costs two times as much. Jeremy agreed with Ed, citing his experience running in a two member district and helping others run in single member districts.

Rob also agreed, saying that direct mail is the best way to reach people, so if you have two times as many people to reach it is two times more expensive.

Ed said that also once they're elected, Legislators from two member districts need to work harder for two times as many constituents, while sharing the glory, saying that it wasn't fair.

Jeanne said that it's interesting that there are contrary statements that two member districts provide an unfair advantage in representation for those constituents, but that now people are saying the opposite. She also said the evaluation has other factors and isn't straight mathematics.

Rob said he believes that as long as there is a mixture of two and single member districts, instead of all one or the other, that there will be the perception of inequity.

Tom L. agreed to not hold a vote, but said he wanted a reminder of the laws that are governing the Board's work.

5. Outreach and Education Discussion

Tom L. raised that there are four upcoming public education events where the LAB has an opportunity to educate the public on the LAB's work. He also reminded the LAB members to share input they are hearing from members of the public, such as the information he got from individuals in the Islands.

Jeremy Hansen said there was a news article on the LAB's work.

Tom K. has said he had people from the Barre Town Board of Civil Authority reach out and ask about the LAB's work.

Mary said she hasn't heard much from her region, mostly questions.

Jeanne said there was an article in the Addison Independent a while ago, but nothing newer.

Ed said the Chittenden County Senators seem to be very interested, and that he was contacted by the media. He believes interest will pick up when there are specific maps.

Jeanne heard from Representative Simms that they were curious on how the town can provide feedback. Tom L. said there is the BCA feedback process, but that presentation requests could also be honored.

6. Draft Maps Discussion

Rob presented his draft map, which currently has only 149 House districts, and explained some of the map difficulties, and some areas that worked well.

Tom L. asked about divisions of towns and population balances, and if this approach ends up with less compactness. Rob said he does not believe it alters compactness from the existing map.

Jeanne asked if the District Builder mapping software shows which towns are in what district. Rob said it doesn't in District Builder now, but does in Maptitude and other maps (VCGI map).

Rob discussed some areas like Stowe/Moscow and Huntington.

Tom L. and Rob discussed Huntington, and the challenge in keeping it in with Chittenden County.

Jeanne commented that Rob's proposed Bristol and Addison-4 area is an example of how single member districts can become much less compact, and significantly lengthen the district.

Jeremy said that in his mapping work he also ran into some of the significant stresses and places where it just didn't work when trying to do exclusively single member districts, to try to make it equitable, so any time he tried to divide a town, he tried to make sure it was only split into two separate districts as a maximum, and tried to make it so that there was at least a thoroughfare/reasonable road, where you can 'get there from here'.

Jeremy encouraged trying to find justifiable, excusable defenses for those worst-case scenarios where a town does need to be split. Rob says he often tries to look for a river in these cases.

Rob said this map still has some low population districts, and still needs more tinkering.

Tom L. asked about Corinth.

Jeremy presented his map, which started down in Guilford. His philosophy was to, as much as possible, keep towns whole. The Bennington area districts were used as an example to show district splits, road lines and other boundaries.

Jeanne has been doing her work using Excel, looking at maps while she's doing it, as she has been having difficulty with Maptitude. She said it was interesting looking at Rob's and Jeremy's maps, as they have all identified some of the same solutions. She believes she has found acceptable solutions for Addison, Bennington, Windham and Windsor. She said she worked with the existing districts, and from there focused on individual problems (unacceptable deviations).

Jeremy's and Rob's working versions are all single member districts. Jeanne's is not.

Tom L. pointed out that ultimately all these maps will need to go into Maptitude, as that's what the Board needs to present for its report.

Tom K. said his draft map isn't at a point worth sharing, and Mary said she is also not ready to share.

Tom L. has encountered some initial difficulties being able to get maps into a sharable and printable format. Amerin Aborjaily expects that the Board and Vermont Secretary of State's office will get an update from Vermont Legislative IT on how to download and share high resolution maps.

7. Other Business and Adjournment

Under Other Business: First, Tom L. wants to issue a reminder that there are many resources on the LAB's webpage, including ones that are still relevant even if they're labeled "2020".

Tom, Jeanne and Chris discussed the tentative timeline, including an October 18th internal deadline set to release an initial House proposal, and the timeline to get Boards of Civil Authority input.

Members agreed to meet weekly, and Tom L. may set additional dates to warn, in case they are needed.

Rob asked about final survey results, which are posted on the website on the resource page.

Tom K. has found at least one instance in District Builder which the arithmetic doesn't seem right.

Jeanne thanked the members of the public for attending and giving their feedback.

The meeting was adjourned at 11:03 pm.