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January 26, 1971

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PETER A. CADY

Robert H. Gibson, Esquire
Secretary of the Senate
State House
Montpelier, Vermont 05602

Dear Mr. Gibson:

Herewith is "Plan of Reapportionment of the Senate"
by the Legislative Apportionment Board, transmitted to you
in accordance with the provisions of 17 V. S. A., Sec. 1907.

Sincerely,

Christopher A. Webber

Chairman of the Legislative
Apportionment Board

CAW/gjj

PLAN OF REAPPORTIONMENT of the SENATE

In accordance with section 1907, Title 17, V. S. A., we the Members of the Legislative Apportionment Board hereby submit a plan of Reapportionment of the Senate.

Section 1907, Title 17, V. S. A. reads as follows:

"On or before February 1st of each year following the taking of a decennial census under the authority of Congress, the board shall prepare a plan of reapportionment of the Senate, apportioning the thirty senatorial seats among the counties or combinations of counties, in such a manner as to achieve substantial equality in the choice of members as guaranteed by the equal protection clause of the fourteenth amendment to the United States Constitution. The chairman of the board shall transmit such plan to the secretary of the senate and it shall be treated by the senate as a bill for the reapportionment of the seats of the senate for the ensuing five general assemblies.____
1965, No. 97, & 7."

The 1970 decennial census shows the population of the State of Vermont to be 444,330. Dividing this number by the fourteen counties gives a figure of 14,811 which represents the exact figure, based on State population, for an entitlement of one senator.

Based on the current apportionment of senators in the senate, the following chart indicates the percentage deviation of each county from the 14,811 norm.

County	No. of Senators Currently	1970 Population	No. of Senators each county or group of counties is entitled based on 1 senator per 14,811	Percentage Deviation from 14,811 norm
Addison	2	24,266	1.6384	36.16% +
Bennington	2	29,282	1.9770	2.33% +
Caledonia	2	22,789	1.5387	46.13% +
Chittenden- Grand Isle	6	102,705	6.9344	93.44% -
Essex- Orleans	2	25,569	1.7264	27.36% +
Franklin	2	31,282	2.1121	11.21% -
Lamoille	1	13,309	.8986	10.14% +
Orange	1	17,676	1.1934	19.34% -
Rutland	4	52,637	3.5539	44.61% +
Washington	3	47,659	3.2178	21.78% -
Windham	2	33,074	2.2331	23.31% +
Windsor	3	44,082	2.9763	2.37% +

** 1970 Vermont Population: 444,330

444,330 divided by 30 Senators equals 14,811 persons
represented per senator

14,811 x 1 =	14,811
14,811 x 2 =	29,622
14,811 x 3 =	44,433
14,811 x 4 =	59,244
14,811 x 5 =	74,055
14,811 x 6 =	88,866
14,811 x 7 =	103,677
14,811 x 8 =	118,488
14,811 x 9 =	133,299

It is obvious that Chittenden-Grand Isle is entitled to an additional senator. The counties having the greatest percentage of deviation from the norm are Caledonia County at 46.13% and Rutland County at 44.61%. The census indicates that in the past ten (10) years the population of Caledonia County increased by only 3 while the population of Rutland County increased 6,518. Since the apportionment made this year is for the ensuing five general assemblies, it would seem logical to take one senator away from Caledonia County, where population growth has been negligible, and give it to Chittenden-Grand Isle. Caledonia would be combined with Essex-Orleans and the combination given three senators. The deviation of this group would be only 3.26%.

The plan of reapportionment we submit, therefore, is as follows:

Counties	Number of Senators to be Elected
Addison	2
Bennington	2
Caledonia-Essex-Orleans	3
Chittenden-Grand Isle	7
Franklin	2
Lamoille	1
Orange	1
Rutland	4
Washington	3
Windham	2
Windsor	3

The present statute makes it virtually impossible to submit a plan of reapportionment that will achieve substantial equality in the choice of members as guaranteed by the Equal Protection Clause of the Fourteenth amendment to the United States Constitution.

Since the apportioning of the thirty (30) senatorial seats is "among the counties or combinations of counties" a smaller percentage deviation from the norm in several counties could be achieved by combining a larger number of counties than at present. However, this does not seem to the committee to be practical, particularly where a combination of counties would not be contiguous.

The creation of senatorial districts ignoring county lines could achieve substantial equality, but under the present statute, this board cannot create senatorial districts in this manner. We recommend that the Legislature give consideration to amending the existing law so that senatorial districts may be created without regard to counties or county lines.

Dated: January 26, 1971

The Legislative Apportionment Board

By: Christopher A. Webber
Chairman