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H.338

Introduced by Committee on Government Operations

Date:

Subject: Legislature; Legislative Apportionment Board; reapportionment
proposals; redistricting; boards of civil authority

Statement of purpose of bill as introduced: This bill proposes to permit the
Legislative Apportionment Board to submit its proposals for the
reapportionment of the House of Representatives and the Senate, in response to
the 2020 U.S. decennial census, at a date later than provided for in statute.

An act relating to reapportionment proposal deadlines

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. LEGISLATIVE FINDINGS

The General Assembly finds that:

(1) The U.S. Census Bureau notified the Legislative Apportionment
Board that the release of the Vermont redistricting dataset of the 2020 United
States decennial census will be delayed from the federal statutory deadline of
March 31, 2021 to September 30, 2021.

(2) The release of the Vermont redistricting dataset of the 2020 United
States decennial census is critical to the completion of the reapportionment

1 duties and rights assigned to the Legislative Apportionment Board and boards
2 of civil authority under 17 V.S.A. chapter 34A.

3 (3) The delayed release of the Vermont redistricting dataset of the 2020
4 United States decennial census will result in the Legislative Apportionment
5 Board's and boards' of civil authority inability to meet the reapportionment
6 submission deadlines imposed pursuant to 17 V.S.A. §§ 1905, 1906, and 1907.

7 (4) The submission deadlines imposed pursuant to 17 V.S.A. §§ 1905,
8 1906, and 1907 must be amended to allow the Legislative Apportionment
9 Board and boards of civil authority to complete their work following the
10 release of the Vermont redistricting dataset.

11 (5) The Legislative Apportionment Board has committed to completing
12 its reapportionment duties as efficiently as possible given the delay and will
13 strive to complete its work as early as practicable within the time frame
14 established by this act.

15 Sec. 2. REAPPORTIONMENT PROPOSAL DEADLINES

16 (a) Proposal to Reapportion the House of Representatives.
17 Notwithstanding the deadlines imposed under 17 V.S.A. §§ 1905 and 1906:

18 (1) The Legislative Apportionment Board shall submit its final proposal
19 for reapportionment of the House of Representatives to the Clerk of the House
20 not later than 90 days from the date of the U.S. Census Bureau releases the
21 Vermont redistricting dataset of the 2020 United States decennial census.

1 (2) Within the time frame outlined in subdivision (1) of this subsection:

2 (A) The Legislative Apportionment Board shall prepare its tentative
3 proposal for the reapportionment of the House of Representatives and notify
4 boards of civil authority as required pursuant to 17 V.S.A. § 1905.

5 (B) The boards of civil authority of proposed districts of the House of
6 Representatives shall submit their recommendations to the Legislative
7 Apportionment Board by a deadline to be established by the Legislative
8 Apportionment Board. The deadline established by the Legislative
9 Apportionment Board shall be not less than 21 days after the boards of civil
10 authority receive the Legislative Apportionment Board's tentative proposal.

11 (b) Reapportionment of the Senate. Notwithstanding the deadlines
12 imposed under 17 V.S.A. § 1907, the Legislative Apportionment Board shall
13 submit its final proposal for reapportionment of the Senate to the Secretary of
14 the Senate not later than 90 days from the date of the U.S. Census Bureau
15 releases the Vermont redistricting dataset of the 2020 United States decennial
16 census.

17 (c) All other deadlines and procedures for the 2022 reapportionment of the
18 House of Representatives and the Senate shall remain as they are outlined in
19 17 V.S.A. chapter 34A.

20 Sec. 3. EFFECTIVE DATE

21 This act shall take effect on passage.