

**ACT 89 (2022)**

TOPIC: REAPPORTIONING THE HOUSE OF REPRESENTATIVES AND THE  
SENATE

**VERMONT CONSTITUTIONAL REQUIREMENTS**

- **Total number of representatives and senators**  
The House of Representatives = 150 Representatives [Ch. II, Sec. 13]  
The Senate = 30 senators [Ch. II, Sec. 18]
- **One or two representatives per district \*House only\***  
Each representative district shall have one or two representatives [Ch. II, Sec. 13]  
*[Compare with Senate – Ch. II, Sec. 18 – no constitutional restrictions on number of senators per district]*
- **Maintain geographic compactness and contiguity; adhere to boundaries of counties and other existing political subdivisions**  
The General Assembly shall “seek to maintain geographical compactness and contiguity and to adhere to boundaries of counties and other existing political subdivisions” [Ch. II, Sec. 13; Ch. II, Sec. 18]
- **Equality of representation**  
The General Assembly “shall revise the boundaries of the legislative districts and shall make a new apportionment of its membership in order to maintain equality of representation among the respective districts as nearly as is practicable” [Ch. II, Sec. 73]

**VERMONT STATUTORY REQUIREMENTS:** [17 V.S.A. chapter 34A](#)

- **On the basis of population**  
The House of Representatives and the Senate “shall be reapportioned and redistricted on the basis of population during the biennial session after the taking of each decennial census of the United States, or after a census taken for the purpose of such reapportionment under the authority of this state.” [17 V.S.A. § 1903(a)]
- **With minimum percentages of deviation from the apportionment standard**  
“The standard for creating districts for the election of representatives to the general assembly shall be to form representative districts with minimum

percentages of deviation from the apportionment standard<sup>1</sup>” for the house of representatives and for the senate. [17 V.S.A. § 1903(b)]

- **Insofar as practicable:**

- **preservation of existing political subdivision lines**
- **recognition and maintenance of patterns of geography, social interaction, trade, political ties and common interests**
- **use of compact and contiguous territory**

The representative districts “shall be formed consistent with the following policies insofar as practicable:

- (1) preservation of existing political subdivision lines;
- (2) recognition and maintenance of patterns of geography, social interaction, trade, political ties and common interests;
- (3) use of compact and contiguous territory.” [17 V.S.A. § 1903(b)]

- **Maximum of three senators per district**

The General Assembly shall enact a plan for reapportioning the Senate that “limits each senatorial district to a maximum of three members” [17 V.S.A. § 1907(b)]

- **Avoid contests between incumbents**

“As long as constitutional and statutory criteria regarding redistricting are adhered to, including those criteria contained in Chapter II, § 13, creating districts to avoid contests between incumbents is a legitimate consideration that may justify minor deviations from equal representation.” *In re Reapportionment of Towns of Hartland, Windsor & W. Windsor, 160 Vt. 9 (1993)*; see also 17 V.S.A. §§ 1906b–1906c regarding House of Representatives: “In making a proposal under this section, the boards of civil authority shall consider... (4) incumbencies”

### **SAMPLE FROM ACT 89...**

BENNINGTON-2      That portion of the town of Bennington encompassed within a boundary beginning at the point where the eastern boundary line of the town of Bennington intersects with VT Route 9; then westerly

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<sup>1</sup> "Apportionment standard for the house of representatives" means the number obtained by dividing the total population in the state by the number of members of the house of representatives of the general assembly. 17 V.S.A. § 1902]; "Population" means the most recent census taken under the authority of Congress or a special census ordered to be taken by the legislature. *Id.*

along the northern side of the centerline of VT Route 9 to where it intersects with Roaring Branch; then easterly along the northern side of Roaring Branch to where it intersects with Park Street; then southerly along the western side of the centerline of Park Street to the intersection of Gage Street; then westerly along the northern side of the centerline of Gage Street to the intersection of North Street; then southerly along the western side of the centerline of North Street to the intersection of Main Street; then northwesterly along the northern side of the centerline of Main Street to the intersection of Dewey Street; then southerly along the western side of the centerline of Dewey Street to the intersection of Monument Avenue Extension; then southerly along the western side of Monument Avenue Extension to the intersection of Carpenter Hill Road; then briefly easterly along the southern side of the centerline of Carpenter Hill Road to the intersection of U.S. Route 7; then southerly along the western side of the centerline of U.S. Route 7 to the boundary of the town of Pownal; then westerly along the town line of Pownal to the state border of New York; then northerly along the state border of New York to the boundary of the town of Shaftsbury; then easterly along the town line of Shaftsbury to the boundary of the town of Woodford; then southerly along the town line of Woodford to the point of beginning