

Apportionment Commission
Draft Minutes of Meeting of Friday, September 10, 2021

The Apportionment Commission met on Friday, September 10, 2021. While the meeting was originally scheduled as a hybrid in person or remote meeting, the resurgence of concerns and Covid-19 cases resulted in a decision to hold an entirely remote meeting.

1. The meeting was convened at 9:30 am. It was determined that a quorum of the Commission was present. Members of the Commission participating remotely were Senators Jackson, Libby, Davis, & Bennett; Representatives Dunphy, Perry, Brennan, Parry, Kryzak, & Morris; and Citizen or Party Designated Members Josh Tardy, Bev Uhlenhake, Matt Moonen, and Chair Donald Alexander.

2. The Commission reviewed and approved the Draft Minutes of August 18th Meeting (Attachment A).

3. The Commission reviewed and discussed issues before it as it is in the process of preparing descriptions and maps of the House, Senate, County Commissioner, and Congressional Districts. Invited by the Commission to join these issues discussions were Julie Flynn, Deputy Secretary of State, Jonathan Bolton, Assistant Attorney General, and Party Caucus representatives including David Emery and Greg Olson.

A. The Commission reviewed and recognized as the basis for its population calculations a document (Attachment B to the Agenda) indicating, based on Census data, the Populations and Population Medians for Congressional Districts, State Senate, State House of Representatives, and County Commissioner Districts

B. The Commission reviewed choice preferences in apportionment to improve understanding and limit confusion at polling places. Those preferences, in addition to Constitutional and Statutory requirements the Commission must follow, were

A. Keep Districts As Compact As Possible.

B. Keep Communities of Interest Together As Much As Possible.

C. Avoid Splitting Municipalities As Much As Possible.

D. Cross County Lines When Necessary To Avoid Splitting Municipalities.

E. Keep Smaller Districts Within Larger Districts As Much As Possible.

The Commission noted that achievement of preferences, while a goal, is not always possible because of requirement that districts be relatively equal in population.

C. Addressing Congressional District apportionment considerations, the Commission noted that the 2020 Census data indicate that the First District Population is 704,211 and the Second District Population is 658,148. The difference is 46,063. The law and past precedent for apportionment of Congressional Districts is, consistent with the above preferences, to keep the population difference after apportionment as close to a difference of 1 as possible. The 10%, or 5% deviation from the median, rule applicable to smaller districts does not apply to Congressional Districts.

To make the Congressional Districts as nearly equal in population as possible, communities with 23,032 persons (1/2 of 46,063 rounded up to 23,032) must be moved from the First District to the Second District. Kennebec County is the only county presently divided between Congressional Districts. That division of only Kennebec County will to continue in the new apportionment. The Commission must decide which communities in Kennebec County to move.

D. Addressing County Commissioner District apportionment considerations, the Commission recognized that the same criteria apply to County Commissioner District apportionment as apply to Senate and House District apportionment, except that County Commissioner Districts do not cross county lines. The County populations, number of presently established County Commissioner Districts for each county, and the median population for each district, considering the number of districts, was outlined for the Commission in Attachment B to the Agenda.

A preliminary review of the Census Data indicates that in 6 counties, the populations of the existing districts are within the 5% deviation from the median population based on the 2020 data. Those counties are Hancock, Kennebec, Lincoln, Oxford, Sagadahoc, and Washington. The Commission is disposed to leaving those districts as they are presently drawn, subject to a vote at the next meeting.

The Commission also received a plan from the Somerset County Commissioners for revision of the 5 Somerset County Commissioner Districts in light of the 2020 Census Data. Review of the Somerset County plan indicated it met the criteria for proper districting, with population deviations no greater than 5% from the median, and otherwise complied with apportionment criteria. The plan met with preliminary approval, subject to a vote at the next meeting.

Redistricting plans for the other counties are being developed by the Commission. [Note: Since September 10 the County Commissioners of Aroostook County and Penobscot County have submitted redistricting plans for the Commission's consideration. Those plans will be considered at the September 20 meeting.]

4. Other Business and Public Comment. The Commission received and considered several written comments that had been timely filed in advance of the Commission meeting. The Commission had also received 4 requests from the public to provide oral comments to the Commission. One of those requests was withdrawn. Two others who had requested time to comment to the Commission did not appear, though they were provided links that would have allowed them to join the meeting at the appropriate time. One individual, Kevin Lamoreau, did appear and offer comments to the Commission.

5. The Commission then discussed the busy work schedule for the Caucuses and the Commission, and when preliminary district descriptions and/or maps might be available for public review prior to the next Commission meeting. After discussion it was determined that proposed descriptions and/or maps for the Senate Districts and the Congressional Districts and any County Commissioner District descriptions and/or maps for counties needing redistricting should, if possible, be available to the public by the close of business Thursday, September 16, with those descriptions and/or maps to be considered at a meeting on Monday, September 20. It was further determined that House District descriptions and/or maps should, if possible, be available by Friday, September 17 or Monday, September, 20, with those descriptions and/or maps to be considered at a meeting on Tuesday, September 21, or Wednesday September 22, depending on the timing of availability of the descriptions/maps.

6. The Commission set the next meeting date for Monday, September 20 at 9:30 am. The meeting will be entirely remote.

7. The Commission adjourned at approximately 11:10 am.