

8/31/21

Hello Sublette County, this is Albert Sommers reporting to you from the 2021 interim work of the 66th Legislature. Every 10 years, the United States federal government does an extensive population census. This is a requirement of the US Constitution in Article 1, Section 2, “The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct.” The census was in the Constitution as a means to apportion the correct number of Representatives for each state to the US House of Representatives. Since then, the census has also been the way to apportion federal payments to states for a variety of federal initiatives.

Each state also uses the census to apportion members of the state legislature from various regions in the state. Changes to the apportionment after a census is called redistricting, and the Wyoming Legislature is in the process of starting discussions to realign legislative districts based upon population changes. The 2020 census was delayed due to COVID, and so redistricting has also been delayed. The Joint Corporations Committee will craft a redistricting bill that will redraw House and Senate districts, and during the 2021 Budget Session the entire Legislature will debate how these new lines are drawn. This process invariably creates winners and losers, due to population changes around the state.

The US Constitution mandates the “one person, one vote” criteria for state legislative districts. States are not allowed to create a “one county, one vote” Senate similar to the US Senate, because the US Constitution does not provide for that exception. This issue has been litigated and lost by the state of Wyoming. From this court case, the presumption is that the constitution only allows a legislative district’s population to vary by (+/-) 5%.

Currently, Wyoming has 60 House districts and 30 Senate districts, with two House districts nested within each Senate district. The Wyoming Constitution requires the House to be at least twice, but not more than three times the size of the Senate (Article 3, Section 3). Wyoming has had a variety of configurations, but the 60/30 split has existed since 1992. Should Wyoming retain the existing split? Too many more House members would not fit in the House Chamber

with a desk. When we reduce the number of House seats, then rural areas lose more control over their representation. Redistricting in Wyoming is a tug of war between rural versus urban, and between different regions of the state.

Wyoming's official 2020 population for redistricting purposes is 576,851, which is up 2% from 2010. However, growth was not uniform across the state, as some counties gained population and some lost. The growth in western Wyoming was in Lincoln and Teton counties, while the energy counties of western Wyoming saw declines. In eastern, northern, and central Wyoming, urban areas saw growth, while most rural areas saw population declines. Even though Wyoming has seen in-migration during COVID, that growth occurred after the census ended.

Sublette County had the second largest decline in population, losing 1,534 people, and now stands at 8,728. What that means for Sublette County is that my house district, HD20, will have to be enlarged significantly. Based upon Wyoming's new population, an average House district would include 9,614 residents, while the average district held 9,394 in 2010.

After the 2011 redistricting, HD20 became all of Sublette County, with the exception of the Daniel and Bondurant voting precincts, which were placed into HD22. Sublette County does not have enough total population to create a single House district. It will have to be enlarged to include parts of other counties, or the county could be divided between districts. Will Sublette County be left whole, or will it be split up?

Remember, these districts can vary (+/-) 5%, which means any given House district can have between 9,133 and 10,095 people. Sublette only needs about 400 people to reach a constitutional district for HD20. I have corresponded with the mayors of all three incorporated towns and the chairman of the Sublette County Commissioners, and all of them hope we can keep Sublette County whole during this process. Will HD20 expand to the north and pick up the rest of Sublette and part of Teton, or will the district expand to the south? Looking at the neighboring House districts, it would appear that expanding to the north might be the best available option, because HD22 (Jim Roscoe's district) to the north has grown significantly.

On September 3, the Joint Corporations Committee will continue to discuss redistricting, and will consider how to break the state into regions, in order to redraw legislative district lines.

This process will continue throughout the state over the next few months. Sublette County and our neighbors will have a say in how our area of the state is redrawn. I can be reached at albert@albertsommers.com with questions or comments.