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HOUSE JOINT RESOLUTION NO. 165

Offered January 14, 2004

Prefiled January 14, 2004

Establishing a joint subcommittee to study the redistricting process. Report.

Patron—Plum

Referred to Committee on Rules

WHEREAS, Article II, Section 6 of the Constitution of Virginia provides that the General Assembly shall redraw state legislative and congressional district boundaries every 10 years following the United States Census; and

WHEREAS, the decennial redistricting process followed by the General Assembly in 1991 and 2001 reflects new developments and problems now inherent in the process, including the use of sophisticated technology, more frequent division of localities among two or more districts, less attention to the compactness and contiguity of districts, a more intense reliance on political data, increased protection for incumbents, a severe reduction in the number of competitive contests for state legislative and congressional seats, and a consequent decline in voter participation; and

WHEREAS, the lack of competition in Virginia's legislative elections is demonstrated by the following statistics: (i) only 35 of 100 Delegate races and only 19 of 40 Senate races were contested by both major parties in 2003, (ii) only eight of 100 Delegate races and only four of 40 Senate races were decided by a less than 10 percent margin in 2003, (iii) only six of the 11 congressional district races were contested by both parties in 2002 and there were no close contests with the smallest victory margin being a 25 percent victory margin in the Eighth District, and (iv) only one incumbent Virginia member of the House of Delegates, Senate, or Congress was defeated in the 2002 and 2003 general elections; and

WHEREAS, other states have turned to independent commissions or staff to redraw districts or participate in the process, and other states have developed guidelines to promote reliance on neutral redistricting criteria; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the redistricting process. The joint subcommittee shall consist of eight legislative members. Members shall be appointed as follows: three members of the Senate to be appointed by the Senate Committee on Privileges and Elections; and five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates. The joint subcommittee shall elect a chairman and vice chairman from among its membership.

In conducting its study, the joint subcommittee shall (i) evaluate the present Virginia redistricting process, (ii) review alternative redistricting processes used in other states including, in particular, the use of advisory commissions to prepare redistricting plans for consideration by the legislature, (iii) consider both constitutional and statutory changes in the process, and (iv) study the criteria that should be followed in developing redistricting plans.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2004 interim, and the direct costs of this study shall not exceed \$8,000 without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

Upon the election of a majority of the Senate members appointed to the joint subcommittee or a majority of the members of the House of Delegates appointed to the joint subcommittee, no recommendation of the joint subcommittee shall be adopted without the approval of a majority of such members of the Senate and a majority of such members of the House of Delegates. For the purpose of this provision, a "majority" constitutes the members present and voting at the meeting of the joint subcommittee.

The joint subcommittee shall complete its meetings by November 30, 2004, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2005 Regular Session of the General Assembly. The

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59 executive summary shall state whether the joint subcommittee intends to submit to the Governor and the
60 General Assembly a report of its findings and recommendations for publication as a document. The
61 executive summary and report shall be submitted as provided in the procedures of the Division of
62 Legislative Automated Systems for the processing of legislative documents and reports and shall be
63 posted on the General Assembly's website.
64 Implementation of this resolution is subject to subsequent approval and certification by the Joint
65 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
66 delay the period for the conduct of the study, or authorize additional meetings during the 2004 interim.