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HOUSE JOINT RESOLUTION NO. 66

Offered January 11, 2006

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

Patron—Amundson

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 and congressional elections is demonstrated by the following statistics: (i) only 38 of 100 Delegate races were contested by both major parties in 2005, only 12 races were decided by a margin of less than 10 percent, and only three incumbent members were defeated, (ii) eight of 11 congressional district races were contested by both parties in 2004, and (iii) the margin of victory was less than 20 percent in only one congressional race, that of the Second District where the margin was 10 percent, and no incumbents were defeated; and

WHEREAS, the lack of competition is even more pronounced in off-year elections as demonstrated by these 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 less than a 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 member of the House, 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 have a total membership of eight legislative members. Members shall be appointed as follows: 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, and three members of the Senate to be appointed by the Senate Committee on Rules. 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, Arizona and Iowa, (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 2006 interim and four meetings for the 2007 interim, and the direct costs of this study shall not exceed \$8,000 for each year 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.

No recommendation of the joint subcommittee shall be adopted if a majority of the House members or a majority of the Senate members appointed to the joint subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

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59 The joint subcommittee shall complete its meetings for the first year by November 30, 2006, and for
60 the second year by November 30, 2007 and the chairman shall submit to the Division of Legislative
61 Automated Systems an executive summary of its findings and recommendations no later than the first
62 day of the next Regular Session of the General Assembly for each year. Each executive summary shall
63 state whether the joint subcommittee intends to submit to the Governor and the General Assembly a
64 report of its findings and recommendations for publication as a House or Senate document. The
65 executive summaries and reports shall be submitted as provided in the procedures of the Division of
66 Legislative Automated Systems for the processing of legislative documents and reports and shall be
67 posted on the General Assembly's website.

68 Implementation of this resolution is subject to subsequent approval and certification by the Joint
69 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
70 delay the period for the conduct of the study, or authorize additional meetings during the 2006 and 2007
71 interims.