SENATE OF VIRGINIA:

PRIVILEGES & ELECTIONS REDISTRICTING COMMITTEE

PUBLIC HEARING )
LOUDOUN COUNTY, )
LEESBURG, VIRGINIA )

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A public hearing was held on Thursday,
March 31, 2011, commencing at 7:31 p.m. in the
Executive Boardroom, 1 Harrison Street, S.E.,
Leesburg, Virginia, before Paula L. Lowery, Notary
Registration No. 162073, Notary Public.

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APPEARANCES

ON BEHALF OF THE PRIVILEGES & ELECTIONS COMMITTEE:

SEN. JANET HOWELL, CHAIR
SEN. GEORGE BARKER
DEL. MARK COLE
DEL. JACKSON MILLER
DEL. DAVID ALBO
DEL. JAMES SCOTT

ALSO PRESENT:

D. Hobie Lehman, Clerk
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SENATOR HOWELL: My name is Janet Howell. I'm a member of the Senate, and I chair the Senate Privileges & Elections Committee. I'd like to call this public hearing to order. We are here this evening to hear your comments on the proposals that have been put out by both the House and Senate for redistricting.

I'd like to thank you for coming out on such an unpleasant evening, and I'm sure some of you have come a great distance; and we do appreciate it.

Over last winter we conducted hearings across the state to hear from the public about the redistricting process that's now before us. In addition, eight public hearings on redistricting are scheduled across the Commonwealth before the General Assembly reconvenes next week on April 4th.

There are three public hearings this evening in different parts of the state, four on
Saturday in different parts of the state, and then
one on Monday in Richmond.

   During these hearings, we are going to be
   in a listening mode. We've come to know what you
   are thinking. We welcome your comments which have
   been and continues to be received and will be
   considered.

   In addition to these hearings, we will be
   reading the comments that have been sent to our
   redistricting website. You can access that simply
   by Googling Virginia redistricting and it will pop
   right up. It's the Division of Legislative
   Services website, which also has a lot of
   information on each of the proposed districts.

   These hearings are an opportunity for us
   to hear from you and receive your input. We're
   under extreme time constraints. Because the
   elections are this year, unlike most states which
   will hold their elections in 2012, our General
   Assembly elections are this November, the
   redistricting time table is short.

   It's been only one month since Virginia
received corrected census data. Looking forward, because we are a Voting Rights Act state, we must send our plans to the Department of Justice which will have 60 days to pre-clear them. We must also follow state and federal law for the timing of our primary and general elections. This results in a compressed time frame.

This coming week during our redistricting session bills will be introduced by legislators and those bills will go through the normal legislative process. Dramatic shifts in Virginia's population required changes in district lines.

Some districts, including Senate Districts 29 and 33, are grossly overpopulated. Others were significantly underpopulated, including all of the majority black Senate districts.

Some districts will gain representation, other regions will lose representation. This is due to the one person/one vote requirement of federal and state law.
This past Tuesday afternoon, Senate Democrats submitted a proposed plan to the General Assembly's Division of Legislative Services. We may consider making some changes to that plan, and these public hearings are an opportunity for members of the public to offer their views. Indeed, some minor changes have already been made to it. The proposed plan can be found on the Legislative Services website.

We believe our proposed plan fully complies with all applicable federal and state legal requirements, including the one person/one vote requirement of the federal and state constitution, the Voting Rights Act, and the Virginia Constitution.

With me, and about to make a few comments, is Delegate Mark Cole, who is the Chairman of the House Privileges & Elections Committee.

DEL. COLE: I want to thank everyone for coming out. Just to echo what Senator Howell said, the purpose of this meeting is to get input
from you and to let you have your say.

I would encourage everyone to visit the redistricting site and also feel free to contact your senator and your delegate that represents you to provide them with your thoughts about redistricting and how you feel and think your area should be represented.

Our stated goal for redistricting was to ensure that, one, we comply with all the provisions of state and federal law and all related court decisions. We also wanted to make sure that we adhere to one person/one vote, and also we want to be fair to the voters of Virginia.

With that, I was wondering if you wanted to have everyone introduce themselves.

DEL. ALBO: I'm Dave Albo, representing the southern tip of Fairfax County.

DEL. MILLER: Jackson Miller, I represent the 50th House District of Manassas, Prince William, and Manassas Park.

SEN. BARKER: I'm George Barker of the state Senate, and I represent the southern part of
Fairfax County and a part of Prince William County as well.

SEN. HOWELL: We have a court reporter here with us this evening. All comments are going to be recorded and will be posted on the website.

Also, speaking with Del. Cole, we thought it would be very helpful if each person spoke for three minutes. Of course if you have more that you want to say than three minutes' worth, we would love to receive it via the web with Legislative Services.

If you didn't sign up and you want to, we have Hobie Lehman here. Just sign up with him, and he'll bring up the sheet.

Our first person is Randy Minchew from Loudoun.

MR. MINCHEW: Good evening, Senator Howell, Senator Barker, Senator Cole, Senator Miller and Senator Albo. For the record my name is Randy Minchew.

I live near the old historic district of Leesburg, only about 300 yards away, and am
currently honored to be a constituent of Del. Joe
May of the 33rd House District.

Under the proposed plan, I would be in a
new 10th District that runs in a linear fashion
down 15 from Leesburg, turning west on Route 15,
going all the way to the gates of the City of
Winchester. That is an open district. There's no
incumbent there.

I am a Republican. I chaired the Loudoun
County Republican Committee for a couple of terms
a few years ago, and that new 10th District is a
very good Republican District. John McCain even
won it once we counted the absentee ballots back
in 2008, and Governor McDonnell won it with a
whopping 63.5 percent of the vote back in 2009.

That being said, as a Republican, I urge
you don't approve it because that district splits
some community interests, divides Clark County
into two counties, and doesn't have the
compactness and continuity that I think would be
recommended for a district.

That being said, I would also urge that
both committees in both the House and the Senate review the work products of the Governor's Redistricting Commission that is either close to or has wrapped up their work. I've got a draft copy of the report that I've tendered to the clerk, but I spent some time reading that report today, and I think it's an outstanding work product.

It has a great intellectual basis to it, recommends some districts that don't have a whiff of gerrymandering, and I think it deserves a good hearing in both houses.

I yield back whatever time I have, and thank you very much for this opportunity.

SEN. HOWELL: Thank you.

Next is Michael Hobert.

DEL. ALBO: Madam Chair, who's controlling the computer up there? Would it be possible for us to put up either the House or Senate districts from this area?

That would be great, thank you.

MR. HOBERT: That's the announcement of
the public hearing that we are having in Clark County in connection with the redistricting of our community. I will keep my remarks brief because you've told me three minutes is all we have.

I'm sure you and your staffs have done a lot of work. It's a very complicated process. We also did a lot of work in our local community of a little over 14,000 people, so I'm aware of how much work is involved in something like this.

But the fact that people do a lot of work doesn't always stop some bone headed mistakes from being made, and there have been some bone headed mistakes being made in the proposals that I have seen.

I must admit I agree, as I was researching the Internet to find out more information, information is kind of hard to come by because it came up so quickly, as you all know. But I came across a League of Women Voters' letter by Ann Sterling, who I do not know, but she made the point that unlike the independent redistricting commissions which held public
hearings first and drew its map second, the House and Senate have drawn their maps first.

If that is not true, I stand corrected.

SEN. HOWELL: No, that is not true.

MR. HOBERT: In any case, I think it will be difficult to get any kind of substantial changes made, but I would hope that you would look at some small changes around the edges because some of these districts are questionable.

I'm not going to speak to the entire plan but only to my county which, unfortunately, is divided by two of these proposed plans. In one of the plans not only is the county divided, but the county seat is divided.

My community strongly objects to this. I've spoken in the last two days with Democrats, Republicans, Blacks, Hispanics, old people, young people, doctors, lawyers, farmers, and unanimously they're very resentful of the fact that you would take a small community like Clark County and divide it in two.

So I would hope you would take that into
account as you go back and tinker with this plan. I provided you with a copy of the current proposed boundaries for our precincts, which I would hope that you would take a look at.

Primarily, we would like to keep Clark County a coherent unit. It's a community of interest, and we're very proud of that.

We thank you very much for your time and effort.

SEN. HOWELL: Thank you. The reason we were shaking your heads is we went around the state last November and December and held public hearings prior to putting together a plan.

MR. HOBERT: Were maps released at that time?

SEN. HOWELL: No, there were no maps because there was no census data.

MR. HOBERT: So it's pretty hard to relate to a proposal that didn't exist, I guess.

DEL. COLE: The purpose of the hearings was to receive public input prior to drawing the maps.
MR. HOBERT: It's pretty hard until you've got the information in front of you to make a comment about what's being proposed. I actually still believe it's a good policy to have the public hearings before you draw the maps.

DEL. COLE: That's what we did.

MR. HOBERT: The public hearings that you had were public hearings without any information. I mean, sure, we can have a public hearing next year about ten years from now, but would it be meaningful? Is it meaningful to have a public hearing on redistricting when you don't have the census data and you don't have the maps?

DEL. COLE: The census data was not received until February during session.

MR. HOBERT: I understand, but the independent commission apparently had its hearings after the data was available. Is that not the case?

DEL. COLE: Again, you're free -- any citizen is free to contact their senator and delegate with their thoughts at any time. So
public input was solicited and received starting last fall about the whole redistricting process.

MR. HOBERT: I appreciate what you're doing. Try not to divide counties, thank you.

SEN. HOWELL: Thank you.

Benjamin Tribbett?

MR. TRIBBETT: Thank you for the opportunity. I especially want to thank Senator Howell and Delegate Albo since I testified at this hearing ten years ago, and you were both at that hearing as well.

I wanted to testify on actually the exact same topic which is: these plans -- as ten years ago -- dilute young voters. The Metro lines in Northern Virginia where many young voters live around stations that are within walking distance of Metro continued to be divided into multiple districts, both in the Senate and House, unnecessarily.

On the Blue Line alone, the House of Delegates has five districts that only a few stations are drawn into. Most districts only
having one or two stations around them which
dilutes the youth vote.

On the Orange Line the same thing is at
play with another five delegates representing a
very small, narrow community.

I think the House of Delegates should
reconsider its maps inside the Beltway and draw
districts around the Metro stations that provide
young voters an opportunity to elect candidates of
their choice and keep the other districts outside
the Beltway separate.

To the topic of the Senate districts, the
Senate districts while being -- there are less
Senate districts on the Metro lines, they're still
unnecessarily diluting the young voters by
splitting them on the Orange Line among three
districts and on the Blue Line among another three
districts. I think they all should be put into one
district.

Finally, on the Senate lines, I want to
testify on one other thing, which is my district,
the 31st District, which runs from Arlington
County all the way out here to Loudoun, just about a mile from where we're having this hearing.

I think having a district that combines neighborhoods like Great Falls and Loudoun County, that have very separate commuter issues, with Arlington County that has its own issues, particularly with transportation, makes it extremely ineffective for any representative to be able to represent both community's interests in the Senate. I think they should be put in separate districts.

Thanks to other work the General Assembly has done the last few years, the fastest way from one end of this district to the other at rush hour is probably through LaGuardia, but including both National and Dulles Airports on the borders of one state Senate district I think is excessive and probably should be amended.

Thank you for your time.

SEN. HOWELL: Thank you.

DEL. MILLER: Madam Chair, I'd like to say that Ben and I did call each other to make
sure we matched tonight.

SEN. HOWELL: Delegate Jim Scott has joined us.

DEL. SCOTT: Sorry to be late, Madam Chairman.

SEN. HOWELL: Betsey Mayr.

MS. MAYR: Good evening, thank you for taking the time to listen to your constituents on the redistricting process that takes place every ten years.

My name is Betsey Mayr, and I live in Leesburg, Virginia. I'm speaking tonight on behalf of the League of Women Voters of Virginia.

The League has been an advocate of change in the way redistricting is done. We feel an electorate should elect their representatives and not the representatives choosing their constituents.

We feel we've made great strides with Governor McDonnell appointing a bipartisan advisory commission, and we do hope you will take their work seriously. They have been through
public hearings and have heard the comments from citizens around the state.

Once it was the opinion that redistricting could only be done by legislators and their staff, but a lot has changed over the years. There is now an abundance of software programs to help the ordinary citizens to produce a map with the parameters set by law.

You have delivered your own maps, and now I ask you to look at alternatives put forth by the bipartisan advisory commission and the student competition of which the League was a co-sponsor.

I had the opportunity to attend the viewing of the maps put forth by the students from 17 colleges for a total of 55 maps. The students' maps prove it is possible to make sensible, understandable, non-gerrymandering districts.

If you have not had a chance to view them, I suggest you go to the Library of Virginia in Richmond and seriously look at them. I believe they are better alternatives than what you have put forth. In speaking to the students, they were...
engaged in the process, took it seriously, and
will never look at redistricting the same way
again.

The bipartisan advisory commission also
produced maps that show sensible, understandable,
non-gerrymandered districts within all legal
parameters. The commission also took into account
the many voices of the public during the hearings.
Have you read the account of hearings? Have you
looked at their proposals?

I briefly looked at Loudoun's lines and
found we'll have seven House of Delegates and four
Senators for representatives, but they're also
split into precincts which are a nightmare for
those who administer elections.

I served on the Loudoun County Election
Board and also was the Deputy Registrar in
Fauquier County, and there was always due
diligence on establishing precinct boundaries so
as not to have split precincts.

Loudoun County has completed their
redistricting and is getting ready to provide the
public notice, so they have essentially created their portion. It is not too late to adjust your lines so they're in synch with the Loudoun precinct lines.

Yes, we can go back and fix them next year. However, the voters will have confusion issues on where to vote. Yes, notification is always sent to voters to advise them of any changes in their precinct; but, unfortunately, they do not seem to get the message until they show up on election day and find they are to vote in another precinct.

I believe it is up to all of us to make voting accessible and easy with understandable and sensible precincts for the voters. We understand that Virginia is under more time pressure than many states. We have an election this year. We not only have to vote on district lines, serve notices, hold public hearings, but we also have to receive Justice Department approval.

Please don't use lack of time as an excuse not to review all alternative plans before
voting on one which we have to live with for the next ten years.

Thank you for your time and attention.,

SEN. HOWELL: Thank you. I appreciate the work the League does.

I don't have any other names listed. Is there anyone else who wanted to speak?

(No response.)

SEN. HOWELL: Thank you so much for coming this evening. I assure you, we will be reading all the comments and looking at all the plans. Thank you.

(Whereupon, the public hearing was concluded at 7:55 p.m.)
CERTIFICATE OF REPORTER

I, Paula L. Lowery, do hereby certify that the foregoing proceedings were taken by me in stenomask and thereafter reduced to typewriting under my supervision; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this proceeding was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

________________________________________
PAULA L. LOWERY
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