

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE OF DELEGATES
PRIVILEGES AND ELECTIONS COMMITTEE
PUBLIC HEARING IN RE: REDISTRICTING

State Capital Building
House Room 1
Richmond, Virginia

January 11, 2012
1:30 p.m.

CAPITOL REPORTING, INC.
P.O. Box 959
Mechanicsville, Virginia 23111
Tel. No. (804) 788-4917

CAPITOL REPORTING, INC.

1 APPEARANCES:

2

3 COMMITTEE MEMBERS:

4 Mark L. Cole - Chairman

5 Rosalyn R. Dance

6 Lacey E. Putney

7 S. Chris Jones

8 A.T. Howell

9 J. H. Miller

10 David B. Albo

11 Riley E. Ingram

12 John N. O'Bannon, III

13 Robert B. Bell

14 R. Steven Landes

15 Timothy D. Hugo

16 David I. Ramadan

17 Margaret B. Ransone

18 Israel D. O'Quinn

19 Kenneth C. Alexander

20 Mark D. Sickles

21 Lionell Spruill, Jr.

22

23

24

25

1
2 DELEGATE COLE: I'll call the committee
3 to order. There's two purposes for this meeting. One
4 is consider redistricting legislation for the
5 congressional seats, and also since this is our first
6 meeting of the session, just to get some inputs
7 regarding committee, subcommittee assignments. I was
8 planning on meeting on Friday for that purpose but
9 since we are meeting now there will not be a committee
10 meeting on Friday morning.

11 First just a couple of administrative
12 items: One, I anticipate having the same subcommittees
13 as last year, so if you have any preferences regarding
14 subcommittee assignments, please send me an e-mail
15 letting me know what subcommittees you want to be
16 assigned to. I can't make promises, but I will do my
17 best to satisfy any concerns. The election
18 subcommittee normally has the heaviest workload so I
19 reserve the right to send elections type bills to other
20 subcommittees if I think the election subcommittee is
21 overloaded. But other than that, please let me know.

22 Also I'd like to point out to the members
23 of the committee House Bill 259. I encourage everybody
24 to take a look at House Bill 259. I'm patroning that
25 bill. That bill is making technical adjustments to the

1 House of Delegates districts. It's based on input from
2 general registrars. I sent a letter out to all the
3 general registrars throughout the state a couple months
4 ago asking if they had any recommended changes to the
5 districts to try to do away with split precincts and
6 things like that, so that House Bill 259 is,
7 incorporates their inputs, does not incorporate any
8 inputs from the members, so I'd encourage you to take a
9 look at that.

10 Delegate Albo.

11 DELEGATE ALBO: I looked the bill up, and
12 it's basically a recitation of the census blocks, so
13 the only way a person can understand it is if it had
14 been reduced to some kind of map or something.

15 DELEGATE COLE: Okay. We can get a
16 summary out.

17 MR. AUSTIN: Now that the bill is
18 introduced we can go ahead and make that public on the
19 General Assembly's redistricting web site.

20 DELEGATE COLE: Okay.

21 MR. AUSTIN: If you have individual
22 questions we can help you look at your district or of
23 the districts.

24 DELEGATE ALBO: I memorized all my census
25 blocks, but I was wondering if you guys might not have

1 done that.

2 DELEGATE BELL: Mr. Chair?

3 DELEGATE COLE: Yes?

4 DELEGATE BELL: My local registrar asked
5 about this issue, asked if there would be limits to the
6 1 percent deviation, whether that is no longer a
7 limiting factor.

8 DELEGATE COLE: Yes, that is a factor.

9 As you are aware of, last year the committee adopted
10 guidelines for the redistricting, and one of them was
11 no more than 1 percent plus or minus deviation from the
12 standard population. That still applies to any
13 adjustments to the districts. And some, I will comment
14 in case you hear from your registrar that some of their
15 inputs were not included in the bill. Some of the
16 inputs that we did get from the registrars exceeded the
17 1 percent deviation and those were not included in the
18 legislation.

19 All right, now on to business. We have
20 one bill before us today and Delegate Bell is the
21 patron of that bill. What's the bill number?

22 DELEGATE BELL: Mr. Chairman, it's House
23 Bill 251.

24 DELEGATE COLE: Okay. Delegate Bell,
25 would you like to present your bill?

1 DELEGATE BELL: Mr. Chairman, with your
2 permission I'll present it from my seat.

3 This is not a new bill. For the new
4 members I'll walk through what it is and what it does.
5 As everyone knows, there's a decennial census in the
6 entire United States, and once the decennial census is
7 done, we are required to redraw the congressional maps
8 to reflect the new numbers. Some districts are too
9 big, some districts are too small.

10 Last year my predecessor, Delegate Janis,
11 worked with Congress in Washington to construct a map
12 which is before you. This is the identical map to what
13 was passed as the engrossed bill last year, so the
14 members from last year, there are no changes to it, and
15 I would pass out to this committee there were 2
16 dissenting votes and they changed their votes after the
17 amendments on the floor, so all the members currently
18 sitting on this committee voted on this bill before.

19 For the new members when you look at the
20 map, it does several things. It preserves the core of
21 the existing congressional districts, it complies with
22 the rule of one man one vote. Let us emphasize that
23 the federal elections that there's no 1 percent or
24 2 percent or 5 percent deviation, it has to literally
25 be one person one vote, so it does comply with the one

1 person one vote, it complies with other federal
2 statutes, most importantly the Voting Rights Act, and
3 it has been individual members who were consulted with
4 and approved their individual districts. Now they were
5 not shown the entire map at the time as I understand it
6 but at the time they approved their individual
7 districts.

8 So with that, Mr. Chairman, I present the
9 bill for your approval. Thank you.

10 DELEGATE COLE: House Bill 251 is before
11 us and every member should have a copy of it in front
12 of them. Are there any questions of the patron from
13 committee members?

14 Delegate Sickles.

15 DELEGATE SICKLES: Mr. Chairman, could
16 you tell me the percentage of minority vote in the
17 before existing in the third congressional district and
18 then what it was before and what the 2 make it?

19 DELEGATE COLE: Talking about the third
20 district?

21 DELEGATE SICKLES: Third district.

22 DELEGATE COLE: Delegate Bell?

23 DELEGATE BELL: Make sure I understand
24 the gentleman. The current third lines using the 2010
25 census is 53.1 percent voting age population which is

1 the metric that they use, it's not the total
2 population, it's voting age population, and the lines
3 as drawn on the redrawn third with the 2010 census
4 numbers is 56.3.

5 DELEGATE COLE: Delegate Alexander?

6 DELEGATE ALEXANDER: Delegate Bell, this
7 bill is identical to what we passed in 2011, is that
8 correct?

9 DELEGATE BELL: Yes. If you recall it
10 was one minor amendment on the floor which I actually
11 think was suggested by the gentleman and his neighbor,
12 Mr. Howell, but with that, this is identical to as it
13 passed the floor, yes, sir.

14 DELEGATE ALEXANDER: This bill was also
15 cleared by the U.S. Justice Department, is that
16 correct? Has to go to the Justice Department?

17 DELEGATE BELL: Will have to go. The
18 preclearance, they don't do anything until we give them
19 something to work on, but we have not yet. As you know
20 last year ended without us reaching a bill that passed
21 the House and Senate so we have not sent anything to
22 them yet.

23 DELEGATE COLE: Are there any other
24 questions? Delegate Miller.

25 DELEGATE MILLER: I'm probably not

1 reading this correctly, may be left off by staff, on
2 the sheet, pages given for absolute numbers in each
3 district, for district 10 on page 16 going to page 17,
4 we start each district with the cities and the
5 counties. Am I just reading this wrong? I don't find
6 Fairfax in there. We have Clarke, Frederick, Loudoun,
7 Manassas, Manassas Park, and Winchester.

8 DELEGATE ALEXANDER: It's not an
9 accident.

10 DELEGATE BELL: Those are not full
11 counties, then you see right below that, it's been
12 broken up, Fairfax is only part of Fairfax and so
13 forth.

14 DELEGATE MILLER: So break out, okay, I
15 understand.

16 DELEGATE BELL: Partial but it has the
17 full counties for the first 2, 3 --

18 DELEGATE MILLER: I got it. All right, I
19 knew there'd be an explanation.

20 DELEGATE COLE: Any other questions?
21 Delegate Dance?

22 DELEGATE DANCE: And Petersburg is in one
23 district?

24 DELEGATE BELL: I believe Petersburg is
25 in, to answer the gentle lady, Petersburg is in the

1 third district and the entire is kept all in one place
2 so it is listed at the very first beginning of the
3 third district which is on page 3.

4 DELEGATE COLE: Any questions of
5 committee members?

6 NOTE: Motion made to report and
7 seconded.

8 DELEGATE COLE: There is a motion and
9 second to report. Before I hold a vote on it I want to
10 invite any members of the public if they wish to speak
11 on the legislation. Are there any members of the
12 public who wish to speak on the legislation? Seeing
13 none, all right, we have a motion duly made and
14 seconded before us to report House Bill 251. Is there
15 any discussion?

16 Delegate Sickles.

17 DELEGATE SICKLES: I honestly do not
18 remember voting for this. The last time I'm pretty
19 sure I voted against it on the floor, and I was
20 surprised to hear Delegate Bell say that everyone voted
21 for it because there was an alternative that I think is
22 much better the Senate passed and --

23 DELEGATE BELL: Mr. Chair, may I correct,
24 I see that in fact Delegate Sickles did not vote, I
25 apologize. I looked at the nays and I did not see your

1 name. Hugo, Gilbert, and Sickles did not vote in
2 committee the last time it came through so I stand
3 corrected.

4 DELEGATE SICKLES: That was not on
5 purpose, Mr. Chairman. I must not have been there. I
6 would have voted no.

7 DELEGATE COLE: All right, any other
8 discussion? All right, no more discussion. The clerk
9 will call the role.

10 THE CLERK: Putney (aye), Ingram (aye),
11 Jones (aye), Albo (aye), Cosgrove (not present),
12 O'Bannon (aye), Bell (aye), Miller (aye), Landes (aye)
13 Hugo (aye), Cox (not present), Ramadan (aye) Ransone
14 (aye), O'Quinn (aye), Scott (not present), Alexander
15 (aye), Joannou (not present), Sickles (no), Howell
16 (aye), Dance (aye), Spruill (no), Cole (aye).

17 DELEGATE COLE: The bill is reported 16
18 to 2.

19 All right, again I'd like to remind
20 members I will be making some committee assignments and
21 we'll be referring bills to subcommittee either by
22 e-mail -- we won't be meeting on Friday. If you have
23 preferences on subcommittee assignments, please let me
24 know.

25 The committee is adjourned.

CAPITOL REPORTING, INC.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF COURT REPORTER

I, Lynn Aligood, hereby certify that I was the Court Reporter for the public hearing conducted by the House Privileges and Elections Redistricting Committee.

I further certify that the foregoing transcript is a true and accurate record of the hearing to the best of my ability.

Given under my hand this 14th day of January 2012.

Lynn Aligood, Court Reporter

