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IN RE: :

PUBLIC HEARING :

DRAWING THE LINE 2011 :

REDISTRICTING IN VIRGINIA :

THE NATURAL SCIENCE CENTER :

VIRGINIA WESTERN COMMUNITY COLLEGE :

ROANOKE, VIRGINIA :

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SEPTEMBER 8, 2010  
7:00 p.m.

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1  
2 (7:12 p.m.)

3           The following cause is a Public Hearing on  
4           Drawing the Line 2011, Redistricting in Virginia  
5           which came onto be heard at the Natural Science  
6           Center, Virginia Western Community College,  
7           Roanoke, Virginia on this, the 8th of September,  
8           2010.

9  
10           CHAIRMAN, MARK COLE: I think we're ready  
11           to call the meeting to order. I want to thank  
12           everybody that came out this evening. This,  
13           Ladies and Gentlemen, is my pleasure to welcome  
14           everyone to this. This is the first hearing of  
15           the House of Delegates Redistricting  
16           Subcommittee. This is the first of six  
17           opportunities the subcommittee will have to gather  
18           input from experts and advocacy groups, and most  
19           importantly, the people of Virginia on the once  
20           every decade process of drawing new boundaries for  
21           the State legislative and congressional  
22           districts.

23           I would like to have the subcommittee  
24           members that are in attendance tonight, if you

1 would, introduce themselves briefly. We'll start  
2 over with Jackson.

3 MR. JACKSON MILLER: I'm Jackson Miller,  
4 50th House District from Manassas and Prince  
5 William County, Virginia.

6 MR. CHRIS JONES: And I'm Chris Jones, the  
7 76th District, Suffolk and parts of Chesapeake.

8 MR. JOANNOU: And I am Johnny Joannou, and  
9 I represent the 79th District, which includes a  
10 portion of Norfolk, Portsmouth, Suffolk, and  
11 Chesapeake.

12 CHAIRMAN: And we also have a couple of the  
13 local legislators in attendance tonight, Morgan  
14 Griffith and Onzlee Ware. I'm Mark Cole, and I'm  
15 Chairman.

16 MS. ELLEN PORTER: And Senator Smith.

17 MR. RALPH SMITH: Here I am.

18 CHAIRMAN: Okay. Oh, yes, there you are. I  
19 see you. I'm sorry, I looked right past you, I'm  
20 sorry, Senator Smith, but anyway, I am Mark Cole;  
21 I represent the 88th District in the House of  
22 Delegates; that is up in the Frederick area,  
23 includes parts of Stafford, Spotsylvania, and  
24 Fauquier Counties. I'm also a Chairman of the

1 Privileges & Elections Committee, the House  
2 Committee, which the redistricting legislation  
3 will have to pass through before it goes onto the  
4 House floor.

5 The General Assembly and the governor as  
6 officials who submit to voters and elections  
7 therefore are directly accountable to the public  
8 and are responsible for drawing the legislative  
9 boundaries. That mandate is clearly spelled out  
10 in the Constitution of Virginia. This time tested  
11 and inclusive process ensures that every Virginian  
12 has a voice in redistricting, since every  
13 Virginian is represented in the General Assembly  
14 by a delegate and a state senator.

15 After every census by the Federal  
16 Government, the Virginia General Assembly and  
17 governor, like every other state, must draw lines  
18 for the U.S. House, Senate of Virginia, and the  
19 Virginia House of Delegates district. Likewise,  
20 many localities must draw lines for their county  
21 boards, their city councils, and school  
22 districts. That much everyone already knows from  
23 our civics classes, so where are we in the current  
24 districting process?

1           The key task of the 2010 census, the  
2           enumeration of people that was completed in April,  
3           is now complete; however, the U.S. Census Bureau  
4           continues its work towards releasing state wide  
5           population counts for Virginia and the other  
6           states, and hopefully, that will be done by  
7           December 31st of this year. Then the data used  
8           for actual drawing of lines, the Public Law 94-171  
9           data, comes later, most likely in February or  
10          March of next year.

11          Speaker Allen and I decided to schedule and  
12          convene these public hearings to encourage greater  
13          civic awareness and to facilitate more active  
14          participation by the public in Virginia's latest  
15          redistricting process.

16          At these public hearings, this subcommittee  
17          wants to gather input from the public on what  
18          principles the General Assembly and governor  
19          should consider in using the detailed data once it  
20          becomes available next year to re-draw the  
21          district lines. Of course, redistricting is an  
22          endeavor presenting many challenges. It also can  
23          be a contentious process. In fact, litigation  
24          over districts drawn in 2001 after the last

1 federal census continued through most of the last  
2 decade in some states, but in Virginia, not a  
3 single court case challenging the current House of  
4 Delegates, state senator congressional maps  
5 successfully passed legal muster.

6 Nevertheless, the decisions produced by all  
7 of that litigation, whether in Virginia or across  
8 the nation, as well as the complicated body of law  
9 in many players involving redistricting make it  
10 vital that my colleagues and I learn what is most  
11 important of the Virginians before the lines are  
12 re-drawn and legislation is ultimately passed.

13 The General Assembly, the governor, the  
14 Attorney General, the U.S. Justice Department, and  
15 perhaps state and federal judges will all have an  
16 opportunity to impact this process, but again,  
17 before we get involved in the work of line drawing  
18 or seek legal opinions or whatever else the  
19 Speaker and I, along with our House colleagues, we  
20 want to hear from you about your priorities and  
21 your suggestions regarding redistricting.

22 As we get underway, I believe that it is  
23 incumbent upon me to articulate, and I hope my  
24 House colleagues will agree with me, my

1 touchstones for this very important public policy  
2 issue. I want the redistricting process to be  
3 fair, it must include opportunity for input from  
4 all and serious deliberation for a fair outcome.  
5 The redistricting process must create districts as  
6 nearly as possible that are equal in population,  
7 giving the effect for the constitutional one  
8 person, one vote principal, and the district maps  
9 must comply with law. The U.S. constitution, the  
10 Virginia constitution, and the Federal Voting  
11 Rights Act, and court decisions all come into play  
12 here. Within these critical constraints, I look  
13 forward to learning from everyone giving testimony  
14 here tonight, and at subsequent hearings.

15 Now, here are -- here are several  
16 logistical and important requests to ensure a  
17 smooth efficient process. There are some  
18 materials that are available on line, and also I  
19 think -- did we bring some of these tonight?

20 MR. JACK L. AUSTIN: I don't have copies,  
21 but anyone who wants to can download from that  
22 website listed up there on the drawing board.

23 CHAIRMAN: Okay, go to the website there,  
24 and you get a download of this -- this kind of

1 gives an overview of the process.

2 MR. AUSTIN: That website, it is a Virginia  
3 redistricting website, and that is the address up  
4 there. If you go to that website, you will see  
5 2011 redistricting, and there is a tag for  
6 publication called "Drawing the Line."

7 SPEAKER: It's just difficult to read  
8 there.

9 MR. JONES: It's going be  
10 dlsqis.va.state.us.

11 CHAIRMAN: And, you know, we don't have a  
12 whole lot of people signed up tonight, so I don't  
13 know that we will have a problem with  
14 filibustering, but I would encourage anybody who  
15 speaks tonight to try to keep your comments brief  
16 and to the point, to make sure that everybody has  
17 a chance to speak, and I also invite anyone, you  
18 know, who so desires, you may submit written  
19 comments tonight to the subcommittee by giving  
20 us -- giving a hard copy to the clerk, or you can  
21 send us an email to the Deputy Clerk for Committee  
22 Operations. That information should be available  
23 at the table, and finally, please be sure to  
24 identify yourself before your remarks and also on



1 any material that you may submit. We are  
2 recording the process, so please make it easy on  
3 our stenographer here that she can get the correct  
4 information for the Record.

5 Okay, I will start going down the list.  
6 Karen Cronin, is she here?

7 MS. KAREN CRONIN: Yes. That would be me.

8 CHAIRMAN: All right, if you would, stand  
9 up and identify yourself for the Record.

10 MS. CRONIN: Yes; my name is Karen Cronin  
11 and I live in Elliston, which is in Montgomery  
12 County. I'm here to advocate for a bipartisan  
13 approach to redistricting and reapportionment.  
14 First, I wish to thank the Committee for holding  
15 these public hearing and for their efforts to  
16 engage the public in this process, so thank you,  
17 and please keep up the good work in this area.

18 I support the creation of a bipartisan  
19 redistricting and reapportionment commission  
20 composed of individuals who are not elected  
21 officials and who represent the geographical  
22 distribution and demographic diversity of the  
23 State. Ideally, this bipartisan redistricting and  
24 reapportionment commission should consist of an

1 uneven number of members. Such a bipartisan  
2 redistricting and reapportionment commission would  
3 be charged with creating a redistricting plan for  
4 submission to the legislature as specified by the  
5 Virginia Constitution. The charge of the  
6 bipartisan commission would also include  
7 consideration of natural geographic boundaries,  
8 jurisdictional boundaries, and competitiveness in  
9 addition to the requirements of equal population,  
10 contiguous and compact districts and the  
11 requirements of the Voting Rights Act.

12 Without a bipartisan redistricting and  
13 reapportionment commission, I fear that we will  
14 retain the current system in which elected  
15 officials in effect choose their voters instead of  
16 the voters choosing their elected officials. A  
17 bipartisan redistricting and reapportionment  
18 commission can stop the cycle of gerrymandered  
19 protection of seats that has been occurring in  
20 this State. When the party in power shifts, they  
21 want to stick it to the other party who stuck it  
22 to them and on and on, and as your mother said,  
23 just because the other guys did it, does not make  
24 it right.

1           Some may claim that it is too late now to  
2           make a difference, but it's never too late. The  
3           governor came out in support of such a commission  
4           during his campaign last year. In the 2010  
5           legislative session the State Senate passed a bill  
6           to establish a bipartisan redistricting  
7           commission. That bill was blocked from  
8           consideration in the House of Delegates by the  
9           Privileges & Election Committee. I would think  
10          that if members of this committee were to change  
11          their tune and express support for a bipartisan  
12          redistricting and reapportionment commission, the  
13          governor would act.

14          Bipartisan redistricting and  
15          reapportionment would protect votings from unfair  
16          partisan gerrymandering and help ensure that every  
17          Virginian's voice is equal in Richmond. I'm sure  
18          that I am not the only voter who is sick and tired  
19          of partisan wrangling and whining from both sides  
20          of the aisle. It appears that every issue comes  
21          down to the best interests of the party and not  
22          the best interests of the citizens.

23          Please, a bipartisan redistricting and  
24          reapportionment commission may not stop all of

1           that, but it would certainly be a step in the  
2           right direction. Thank you.

3  
4           (Applause.)

5  
6           CHAIRMAN: Thank you for your comments.  
7           Stuart Bain?

8           MR. STUART BAIN: Yes, my name is Stuart  
9           Bain and I live in Salem, Virginia, and I'm here  
10          because I'm actually on the ballot for the  
11          Congressional election this November, and the  
12          redistricting is going to affect more than likely  
13          Salem's district.

14          I just thank you for your comments, because  
15          a lot of that covers some of the ideas that I  
16          wanted to run by the Commission, but I do have  
17          some questions that I hope maybe you will take the  
18          time to answer, and that is that, given the  
19          technological advances of the last decade, what  
20          objective technical mechanisms are there available  
21          to actually take it and make it not -- I don't  
22          support a bipartisan effort, I support a  
23          nonpartisan effort, so if you could address that  
24          in any means possible, I would appreciate it.

1           CHAIRMAN: Okay, well, I mean, there is  
2 obviously going to be used computer software and  
3 programs once we get the census data in that will  
4 be used in helping draw the lines, and I would  
5 just like to point out that I think this is the  
6 first time in Virginia history where the General  
7 Assembly is split.

8           The House is controlled by Republicans and  
9 the Senate is controlled by the Democrats, and so  
10 regardless of whether there is a commission set up  
11 or not, any plan that either body develops is  
12 going to have to pass both bodies, so we're going  
13 to have bipartisan redistricting, with or without  
14 a Commission. All right. Onzlee, I don't see you  
15 there.

16          MR. WARE: I thought that I was just signed  
17 up to say that I was in attendance, that I had  
18 come just to listen, but I will say just a few  
19 words.

20          CHAIRMAN: Okay.

21          MR. WARE: I think, you know, it's always  
22 easier when you are the minority, when you want --  
23 especially in politics when you want some rules to  
24 change in your favor. I'm just a firm believer

1           that the rules you give me are the rules that I  
2           play by, and whether it be Democratic majority or  
3           Republican majority, they have the rules, and now,  
4           should the rules change, I'm hearing it from a lot  
5           of people, both Democratic and Republican, and I  
6           think this lady espoused it very clearly, that  
7           people are more concerned with getting something  
8           done.

9           Now, you know, that is not my saying, and I  
10          certainly -- I tend to think that we, as a body,  
11          both the House and the Senate, and probably  
12          nationally too, play politics with the things that  
13          are most important to them, and so I would say  
14          that, if somebody asked me, well, Onzlee, that  
15          because of the newspapers, some people reported  
16          that I was eleven percent off recommended for the  
17          voting rights, and what did I do? Well, I simply  
18          was saying, when I started to run for this office,  
19          I didn't know half the people in the district, and  
20          my job was to run and I believe to make people,  
21          whether they be black, white, rich, or poor,  
22          comfortable, and for the last four terms, they  
23          have been, and so whatever you give me now, I will  
24          be charged with the same task, but I would just

1           caution all of us that that at least we draw  
2           districts where people have some similarity and  
3           some diversity.

4           I don't think that the public understands  
5           what it takes a senator or a delegate to maybe  
6           drive three hours to see maybe 50 people, and that  
7           senator and delegate is going to do that, but is  
8           that time effective, and so, what I hope we don't  
9           have is somebody living, let's say, down here in  
10          Roanoke but their district stretches all the way  
11          past Montgomery County, and that is -- and I think  
12          that would be a travesty to the people.

13          You can't -- there's not a 100 percent way  
14          that you can do things right, but I think also,  
15          the major concern on redistricting in my opinion  
16          ought to be the voters and not necessarily what  
17          District Delegate Onzlee thinks or has, and I  
18          would just say that the only thing that I can do  
19          is just run every two years and the people decide  
20          whether it is a safe district or a political risky  
21          district for the people -- for the lady that  
22          spoke.

23          I really think that this time, whether we  
24          do a bipartisan or nonpartisan committee, whatever



1 we do, and I would agree with you, Mr. Chairman,  
2 that because of the way that the House and the  
3 Senate is comprised, you will have some give and  
4 take on both sides, but whatever we do, let's keep  
5 the voters and the neighborhoods paramount when we  
6 start drawing the districts. Thank you.

7 CHAIRMAN: All right, thank you. Charles  
8 Withers?

9 MR. WITHERS: Mr. Chairman, I will yield; I  
10 thought that was a sign-in sheet as well, and so  
11 you go to the next speaker, then.

12 CHAIRMAN: All right, I will go to the next  
13 speaker. It says "Arthur Given"?

14 MR. ARTHUR GIVEN: Yes, thank you. Thank  
15 you for coming, but I really would like to say  
16 about what this man has said, we need independent  
17 delegation, districts, based on not the parties  
18 but the people, and as well as what he said, the  
19 districts need to be compact and so that they are  
20 not physically distributed; it's obvious what is  
21 going on, and it's been well said by others, so  
22 thank you very much.

23 CHAIRMAN: All right, thank you. Bill  
24 Clarkson?



1 MR. WILLIAM CLARKSON: I don't want to make  
2 a stigma, but I would like to ask a question. We  
3 have a good representation of politicians, and my  
4 question to you is this: In a state and a country  
5 that is supposed to be democratic, how do you  
6 justify gerrymandering?

7 CHAIRMAN: Well, I am not sure that anybody  
8 in this committee does justify gerrymandering.

9 MR. CLARKSON: Well, but the people in the  
10 committee are the ones who have imposed it on us  
11 -- I mean, the people in the -- in our  
12 legislature are the ones who have imposed it on us  
13 and they are the ones that are going to control  
14 it, so I think that we have enough people here  
15 that someone should speak up and answer that.

16 CHAIRMAN: All right.

17 MR. CLARKSON: Does anyone have nerve  
18 enough to answer?

19 CHAIRMAN: Thank you for your comment.  
20 Keith Adkins?

21 MR. RONKEITH ADKINS: Ronkeith Adkins.

22 CHAIRMAN: Ronkeith Adkins, I'm sorry.

23 MR. RONKEITH ADKINS: My name is Ronkeith  
24 Adkins and I live in Roanoke County; I'm the

1           secretary of the Roanoke County Electoral Board,  
2           and it's interesting to hear the comments tonight,  
3           and what really interested me is when you folks  
4           introduced yourself, I didn't hear one guy that is  
5           west of Lynchburg that sits on the committee here,  
6           and don't forget, the State of Virginia does not  
7           end at Lynchburg. We have a large portion of our  
8           state west of that, and to be honest with you, the  
9           9th District is bigger than the State of New  
10          Jersey, Gentlemen, alone, but the point I want to  
11          make is I've served a long time on the Roanoke  
12          County Electoral Board, and I've heard these  
13          comments tonight, and I'm -- hopefully, everyone  
14          sitting in this room is a registered voter.

15                 The sad part that we're facing here, you  
16          are facing, we're facing, is getting our citizens  
17          out to register to vote; therefore, the person  
18          that brings up the term "gerrymandering," if we  
19          had more people concerned that were registered to  
20          vote, I think that we could eliminate that little  
21          problem right there.

22                 Sadly, in the State of Virginia, we have a  
23          tremendous amount of people that sit on the  
24          sidelines and don't even bother to vote, and I

1 know elected politicians sometimes say that is too  
2 bad, and I had one politician that I was  
3 campaigning with one time years ago said that that  
4 person doesn't count because they are not  
5 registered to vote.

6 Now, the other point that I'm making is the  
7 terms of continuancy of keeping the lines more in  
8 uniform with the counties and the cities in the  
9 areas, because quite frankly, if you draw a really  
10 very stupid line which, you know, an elementary  
11 person could tell that it shouldn't be there, that  
12 is very expensive for the local registrar and the  
13 county or city to have to put up with because of  
14 the form of notifying people as to exactly where  
15 they need to go to vote, and you need to take that  
16 into consideration constantly.

17 Now, I know out in the western part of the  
18 state, as my friend Onzlee Ware said, sometimes  
19 you have to drive a long ways to meet your  
20 constituency, whereas in the eastern part of the  
21 State of Virginia or the northern part of the  
22 State of Virginia, in some of those districts, you  
23 can literally walk the district, and you have to  
24 keep this in mind for our people in the western

1 part of the State of Virginia.

2 I'm not naive, Gentlemen, and I know that  
3 there is politics that are played in drawing these  
4 lines, but as the lady spoke over here, you have  
5 to remember, we are citizens, we are voting  
6 citizens, and truly implore you to listen to what  
7 these people have to say about how and where and  
8 when you draw these future lines.

9 Now, I know some of the lines in eastern  
10 Virginia are totally completely ridiculous, and I  
11 remember years ago in Tazewell County, and I'm an  
12 old southwestern Virginia boy, we had four  
13 different House of Delegates in that little county  
14 alone down there several years ago, as you might  
15 be aware, but anyway, I don't mean to belabor the  
16 point, but I am asking you people to be fair to us  
17 citizens, to draw these lines when they come up in  
18 an intelligent matter, not something that we'll  
19 look at and later be ashamed of, regardless of  
20 which party we're in, draw them in an intelligent  
21 matter, and I thank you very much.

22 CHAIRMAN: Thank you for your input. All  
23 right, that is -- that is everybody that is signed  
24 up. If there is anybody who is not signed up that

1           would like to speak, if you would, state your name  
2           and localities.

3           MS. KRISTIN PECKMAN: Sure. I'm sorry, I  
4           had to work until 7:00, so I was late.

5           CHAIRMAN: Sure.

6           MS. PECKMAN: My name is Kristin Peckman; I  
7           live in Roanoke County, and I am living in one of  
8           the wisps of the 9th District that sort of sticks  
9           out. It was changed in the last -- after the last  
10          census, during our last redistricting. We were in  
11          the 6th District and we were moved into the 9th  
12          District in a way that makes no sense.

13          I mean, there are just little shreds like  
14          little hairs of the 9th District that scoot out  
15          into Roanoke County and Blue Ridge and different  
16          areas like that, and I feel unrepresented because  
17          my representative is in Abingdon, never comes to  
18          Roanoke as far as I know, and I feel like  
19          contiguity of the districts is extremely  
20          important, and I would also like you folks to  
21          answer how the public will be able to participate  
22          ongoing in this process, and how we would be able  
23          to follow the process.

24          MR. JONES: I appreciate the question. Of

1 course, we are going to have, I believe, Jack will  
2 have a website that will be -- that will be up and  
3 we will have five more public hearings, and when  
4 the numbers are actually delivered to the  
5 President in December, then what will occur, the  
6 census has it then, they will get the numbers for  
7 January for the reapportionment of Congress, and  
8 since Virginia is one of a couple of states that  
9 go next year for elections, hopefully, we will get  
10 our block by block numbers in late February, early  
11 March, and then once those numbers are there, it  
12 will be uploaded to the website, and then I  
13 assume, I don't know if this is going to happen,  
14 that there will be some mobility for the public to  
15 go on and be able to potentially draw some lines  
16 of their own.

17 I don't know what they've decided as far as  
18 a money perspective, if they can make that  
19 available or not, but there are some on-line  
20 capabilities that I'm certain will be out there,  
21 and I know that there are many interest groups  
22 that probably will be doing the same thing with  
23 software, so I think that there will be ample  
24 opportunity for public input which we will

1 encourage by having the sets of public hearings  
2 this year, and then once the numbers come, there  
3 will be another set of public hearings around the  
4 State once we have the hard numbers, so you can  
5 then see who lives where and what numbers are in  
6 what counties and cities and towns, and that is  
7 what it's all based on, the one man, one vote  
8 precept.

9 MS. PECKMAN: What is the website, and how  
10 will you use the results of these meetings?

11 MR. JONES: We will someone who is taking  
12 notes and they will be public record, and they  
13 will be part of the public record itself. I've  
14 been taking notes like the other members have been  
15 taking notes, and we didn't drive five hours out  
16 here just to come and listen for 15 minutes and  
17 then go back to Hampton Roads, and I would agree  
18 with him, Virginia is a very large state. We came  
19 around last time and listened to the public  
20 comment, and it is a far out to Scott County.

21 MR. RONKEITH ADKINS: I tell you this, if  
22 you go down to Cumberland Gap and stand and look  
23 90 degrees north, Ladies and Gentlemen, you are  
24 actually west of Detroit, Michigan; that is how



1 far it goes.

2 MR. JONES: We want to encourage public  
3 input, and that is the reason what we have these  
4 public hearings that we started in the Fall of  
5 2010.

6 CHAIRMAN: And I would just like to  
7 reiterate that it is the population numbers that  
8 will be key to what we have to do. Areas of the  
9 State that are sparsely populated, you know, in  
10 order to have the same -- about the same number of  
11 people in a district, obviously, they are going to  
12 have to be bigger land wise than areas of the  
13 State that are very densely populated.

14 All right, could you identify yourself.

15 MR. ALEXANDER ADKINS: I'm Alexander  
16 Adkins, and I've heard rumors and talk about the  
17 potential unreliability of the numbers of this  
18 recent census, and would that be taken into  
19 account for what possibly might be some off  
20 numbers, or will the State look into to verify  
21 that the count is accurate for the State of  
22 Virginia, the regions, before looking into  
23 redistricting the counties, the districts, and so  
24 forth, because counting the heads of people is



1 sometimes difficult enough already, but there has  
2 been enough turmoil about that, and I've been  
3 concerned about getting -- making sure that we get  
4 the right numbers of people here, regardless of  
5 what affiliations. That is all.

6 CHAIRMAN: Well, that is probably a  
7 question that will have to be answered by the  
8 Attorney General --

9 MR. ALEXANDER ADKINS: Okay.

10 CHAIRMAN: -- once we get the numbers in.  
11 I'm not sure that there is any mechanism whereby  
12 we could challenge the numbers, other than in  
13 court, if we thought that they were incorrect.

14 MR. ALEXANDER ADKINS: All right.

15 CHAIRMAN: Before you speak again, anybody  
16 else that has not already spoke?

17 MR. RALPH SMITH: I feel obligated to stand  
18 up.

19 CHAIRMAN: And I apologize for looking past  
20 you.

21 MR. SMITH: I'd like to say hello; I'm  
22 Ralph Smith, and I represent most of these folks  
23 that spoke this evening in the Virginia Senate. I  
24 want to say thank you; where we stand right here

1 at this college was in my district when I served  
2 as mayor of this city, but now, as a senator, it  
3 is about half a mile down the road, and next year,  
4 it might be back here again, but I'm wearing that  
5 hat, and I'm used to wearing that hat, I grew  
6 accustomed to saying thank you for coming out  
7 here.

8 Thank you for driving those five hours, and  
9 I serve on the -- your counterpart, on the Senate  
10 Privileges & Elections, as does my good friend  
11 across the aisle, John Edwards also, so when it  
12 comes to the Senate hearings, I suspect that we  
13 will be doing the same thing, traveling to your  
14 neighborhood, that we will -- and that is part of  
15 the reason why I'm here.

16 This is the first one of these hearings  
17 I've had occasion to attend; it is a learning  
18 experience for all of us, but I just wanted to say  
19 thank you for traveling out here. Thank you for  
20 deciding that Roanoke as your first stop. I  
21 really appreciate that, and I will look forward to  
22 hearing from you, if you are in my district, or  
23 John Edwards, and guide us in how we can do a  
24 better job when it comes to the Senate hearings.

1 Thank you.

2 CHAIRMAN: All right. Anybody else?

3 MS. HELEN GIVEN: My name is Helen Given  
4 and I live in Floyd, Virginia. This may sound  
5 like a dumb question, but do you count everybody  
6 on the census or are they separated into eligible  
7 voters, into the 21 or whatever, the 18 years  
8 old?

9 CHAIRMAN: My understanding is, and again,  
10 the census is conducted by the Federal Government,  
11 not the state government, and my understanding is  
12 that everybody is counted. Now, they do try to  
13 collect data as to how many adults there are and  
14 how many children there are, but for the purpose  
15 of redistricting, it does not matter if they are  
16 adult or children; you know, one person counts as  
17 one person, because, you know, if you are a child  
18 now, a minor now, you are liable to be an adult  
19 before the next redistricting is done ten years  
20 from now.

21 MS. GIVEN: Thank you, that is  
22 interesting.

23 MR. JONES: And as a follow-up, as a parent  
24 of a college student, last year I had a hard time,

1           this year not saying that there was three in my  
2           household, because she was not residing with us on  
3           census day, so I had to put two instead of three,  
4           and she would ostensibly be counted at her  
5           institution of higher learning, so they want to  
6           know where you are living the as of this date, so  
7           if they have a summer home at Smith Mountain Lake,  
8           they would be counted there as opposed to northern  
9           Virginia, because it's where you are when that  
10          happens. It is where you are living actually on  
11          the day they take that census, where they are  
12          living.

13                 MS. GIVEN: Thank you.

14                 CHAIRMAN: Yes, ma'am.

15                 MS. JOLENE EVANS: I have a question, my  
16          name is Jolene Evans and I live in Roanoke City,  
17          and my question is how does the House and the  
18          Senate work together to draw these lines? What is  
19          the process for the House and the Senate to share  
20          information?

21                 CHAIRMAN: Do you want to answer that?

22                 MS. EVANS: Or is there a process?

23                 CHAIRMAN: There is a joint reapportionment  
24          committee that both House and Senate have -- has

1 equal number of members on, and --

2 MR. JONES: This is my fifth redistricting  
3 session, and normally, what happens is the House  
4 does its part in redistricting and the Senate does  
5 its redistricting, and after those two are over  
6 with, the bodies normally agree, normally, and  
7 there are always exceptions, that as the two bills  
8 go over to either side, they vote those bills, and  
9 they vote them on out if there is no agreement,  
10 then the House, if there is no agreement between  
11 the bodies, then the House will then look at the  
12 Senate and the Senate will look at the House bill  
13 and we might be in until the latter part of June,  
14 but basically, basically, there is an agreement  
15 between those.

16 When you get to the congressional seats,  
17 there is a joint body that meets on the  
18 congressional seats, then they sit down between  
19 the House and the Senate and they talk about all  
20 of these districts, where they are, and then they  
21 try to work out a settlement. Both parties are  
22 involved, and everybody is involved in that  
23 particular process, and then this goes up to the  
24 governor after it's elected by the bodies.

1 MS. EVANS: So does the House vote on what  
2 the Senate has said, how they want to district,  
3 and the Senate votes on how the House wants to  
4 district as well?

5 CHAIRMAN: Yes, any legislation has to pass  
6 both bodies.

7 MS. EVANS: Yes.

8 MR. JONES: Because it is a bill.

9 CHAIRMAN: It is basically a bill.

10 MR. MORGAN GRIFFITH: If I might, just in  
11 amplifying the answer to this lady's question, one  
12 thing that we as legislators sometimes take for  
13 granted but the public does not know, some states  
14 are vastly different our legislative services, two  
15 of whom are here today, are shared in Virginia by  
16 both the House and the Senate, so a lot of the  
17 data is compiled by the same staff for the House  
18 and the Senate, and Mr. Chairman, you may, since  
19 they are here today, you may want to introduce  
20 them, since they also are going to be putting  
21 together all the packages for the legislators on  
22 both sides.

23 CHAIRMAN: Go head and introduce yourself.

24 MR. AUSTIN: I'm Jack Austin, and as

1 Delegate Griffith said, I'm with the Division of  
2 Legislative Services, which is the staff for both  
3 houses and both committees in this process.

4 MS. ELLEN PORTER: And my name is Ellen  
5 Porter; I am also an attorney with Legislative  
6 Services, and we help implement the plans of the  
7 members to put them into bills.

8 CHAIRMAN: All right.

9 MR. WARE: Let me just ask a question that  
10 I know but others don't. What part does the  
11 governor play in this process?

12 CHAIRMAN: The governor has to approve all  
13 final legislation. I mean, you know, you know,  
14 Delegate Ware, that any legislation passed, the  
15 government can sign it, and he can veto it or he  
16 can amend it, and these are -- any -- it takes  
17 legislation to do redistricting and set the lines,  
18 and so the governor will have the same prerogative  
19 as he would any other piece of legislation.

20 MR. WARE: Thank you.

21 CHAIRMAN: Okay. Well, one last question.

22 MR. RONKEITH ADKINS: Can you give us a  
23 time frame? Is it good to be asking the  
24 legislation that goes in session next year in 2011

1                   that you will be looking at drawing these lines?

2                   CHAIRMAN:   Well --

3                   MR. RONKEITH ADKINS:   -- or how does this  
4                   play out?

5                   CHAIRMAN:   Normally, my understanding, and  
6                   this is my first time through this process, but  
7                   normally, my understanding of the way that it  
8                   works is you have a special session after the  
9                   regular session next year, because chances are  
10                  we're not going to have the detailed data early  
11                  enough to really do anything with it during the  
12                  regular session.

13                  We might get it in February if we are  
14                  lucky, and by then, we'll be over halfway done  
15                  with session, so you know, what kind of -- to kind  
16                  of keep things running smoothly during regular  
17                  session, we will have regular session, and once we  
18                  get the data in, then we can look at, you know,  
19                  roll up the sleeves and do the serious work about  
20                  trying to come up with district lines, and there  
21                  will be a special session called just to deal with  
22                  redistricting.

23                  MR. RONKEITH ADKINS:   Thank you.

24                  CHAIRMAN:   Well, I want to thank everybody



1           for coming out and encourage you to feel free to  
2           contact your delegate and your state senator if  
3           you have any other input that you would like to  
4           make regarding redistricting.

5  
6  
7           (The Proceedings were concluded.)

8  
9           (7:52 p.m.)

10  
11                   \* \* \* \* \*

C E R T I F I C A T E

COMMONWEALTH OF VIRGINIA

COUNTY OF ROANOKE

I, Lisa M. Hooker, Notary Public in and for the Commonwealth of Virginia, at Large, do hereby certify that the Proceedings held on September 8, 2010 was by me reduced to machine shorthand in the presence of the witness, afterwards transcribed under my direction by means of Computer, and that to the best of my ability the foregoing is a true and correct transcript of the Proceedings as aforesaid.

I further certify that these Proceedings were taken at the time and place in the foregoing caption specified.

I further certify that I am not a relative, counsel or attorney for either party or otherwise interested in the outcome of this action.

IN WITNESS WHEREOF, I have hereunto set my hand at Roanoke, Virginia, on this the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Lisa M. Hooker  
Notary Public

My commission expires October 31, 2011.  
Notary Registration Number: 165043