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100 single-member House districts unlikely this time

But their numbers expected to grow

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The Morgantown Chamber of Commerce recently sent an email to members declaring its support for single-member House of Delegates districts.

It also urged members to contact Delegate Barbara Fleischauer to voice their support for the idea. Fleischauer, D-Monongalia, is a member of the House's redistricting committee that is studying potential redistricting plans prior to an expected August special session devoted to the task.

In light of the email, The Dominion Post spoke to the Chamber and polled several local House and Senate redistricting committee members about their opinions and what they're hearing from the public.

Most legislators said the public is divided on the idea.

Morgantown Chamber president and CEO Ken Busz said the Chamber's position comes from its 20-member board of directors. "It's something we've supported for quite some time."

He couldn't speak for each board member, nor has he talked with Fleischauer, or House committee Chairman Brent Boggs, D-Braxton, who also is mentioned in the email.

The email states, "Singlemember districts would be a political asset for employers. The closer your delegate is to your business, the better he or she can represent your interests and the more accountable he or she will have to be to keep your vote."

Accountability and accessibility are the primary advantages single-member district proponents cite about the topic. They claim multimember districts favor incumbents, including nonperforming incumbents, who slide through every two years.

Opponents dispute the incumbent-advantage argument, and often cite the tagteam advantage multimember delegations bring to issues.

Busz said the Chamber plans no other action to promote its view.

The Legislature, when it acts on redistricting, will pass three bills. Legislative sources explain that the Senate will pass a Senate redistricting bill, which the House then traditionally approves. The House passes a House redistricting bill, which the Senate would accept.

The two bodies must agree on the third, for congressional districts.

Legislators' views

Fleischauer responded via an email exchange.

"The Chamber of Commerce is doing redistricting backwards," she said. "The first question needs to be not what would we like the best, but what are the rules that govern redistricting? The primary rules are the federal and state constitutions, and the cases which interpret them."

While the state Constitution's language is hard to understand, she said, the document "clearly contemplates that

counties will form the boundary lines for House and Senate districts, and to the extent possible, that counties should remain whole.”

Article VI says that after each census, the ratio of House representation is determined by dividing the state’s population by the number of delegate seats. “Every county containing a population of less than threefifths of the ratio of representation for the House of Delegates, shall, at each apportionment, be attached to some contiguous county or counties, to form a delegate district.”

After detailing rules for fractions, it says, “Every delegate district and county not included in a delegate district shall be entitled to at least one delegate.”

The Constitution names which counties, at the time, were entitled to one, two or three delegates. No counties were split among several districts — as is Monongalia County. Mon County has nine delegates, though only four live in the county, and six senators, only one of which is a county resident.

“This makes for a complicated ballot as was noted by our County Commission in a letter they wrote about redistricting,” Fleischauer said. “More importantly, people prefer to vote for people they know who live in their own county.”

Fleischauer said that based on 100 delegates, the current “ideal” number — plus or minus 5 percent — for a delegate district is 18,530 constituents.

Based on population growth, she said, Mon County should be entitled to five delegates this time. Eighteen counties are entitled to one and another five “probably will get one delegate. Thus, using county lines we are likely to have at least 23 single-member delegate districts.”

Because of the 5 percent rule mandated by the U.S. Constitution, she said, “there are likely to be some districts that combine counties or use portions of counties to reach a number close to the ideal population. ... Based on my reading and nearly 150 years of tradition, I believe that the Constitution contemplates that counties with larger populations, like Monongalia, should have multimember districts where delegates are elected at-large.”

House committee member Dave Pethtel, D-Wetzel, hails from a single-member district — the 5th. “Personally I like single-member districts,” he said.

He is getting no strong leaning one way or the other from constituents, he said. “Right now, I would say it would be a combination” of both views.

Two other legislators are hearing the same thing.

Delegate Mike Caputo, D-Marion, is committee vice chair.

“I have certainly heard from both sides of that issue,” he said. “Some like them the way they are.” Others want single-member districts.

“We’re going to let the committee process play out,” he said. “It’s probably going to be difficult to balance this all out. I’m sure the committee will do its best and come up with something everyone can live with.”

He said that the Marion delegation performs well as a team. “We work together. We are as accessible as any delegation in the state.” They try to answer every call and email, and try to attend every meeting they’re invited to.

Right now, 36 of the state’s 58 House districts have one delegate. He doesn’t expect 100 single-member districts this go-round, but the number may grow. “It’s just going to be the will of the committee.”

The Senate calls its panel a task force. Sen. Roman Prezioso, D-Marion, is a member.

“We’ll take what the House gives us,” he said. “Whatever they send over we’re going to accept.”

He said single-member districts may be the best form of representation, but the public comments coming his way are split about 50-50.