

# TEARING UP THE PLAYBOOK

The next Virginia General Assembly will be historic, no matter what happens in November

By Don Harrison / Illustration by Blake Cale

**L**ashrecse Aird is not bashful in saying, “I told you so.”

In June, the former Virginia delegate soundly defeated incumbent Joe Morrissey in the Democratic primary for Virginia’s 13th District Senate seat. One of the loudest voices speaking against the state’s new political redistricting, she says that the recently drawn maps were probably helpful to her in the inter-party battle against the controversial Morrissey.

“Hey, I’m not upset,” she says. “This is the reality we are operating in; let’s use it as an opportunity.” But those redistricted state lines have created havoc elsewhere, she quickly adds. “It’s what we warned could happen. There’s no doubt that what we are seeing is the result of redistricting.”

What’s unfolding for the General Assembly is a huge sea change. All 140 Senate of Virginia and House of Delegates seats are up for grabs in November, and no matter who wrests final

control of the oldest continuous law-making body in America, there will be historic turnover, mostly led by retirements and primary upsets, both of which have been exacerbated by the newly instituted redistricting.

## NEW PECKING ORDER

“It will be a reset for both House and Senate on both sides,” says Richard Meagher, associate professor of political science at Randolph-Macon College. “There will be a new pecking order of power, whether or not that’s Republicans in charge or Democrats.” Currently, the GOP holds a 50-46 majority in the House of Delegates, with four open seats, while the Dems control the Senate, 22-18.

In 2020, Virginia voters approved the creation of an independent redistricting committee, a citizen-led effort to stop gerrymandering. However, the committee couldn’t agree on the revised maps. The Supreme Court of Virginia stepped in and appointed special masters to draw new maps. They

did their job, Meagher says, and they did so without regard for incumbency. “In many instances, legislators were grouped in the same district, two or three at a time, meaning they would need to face other incumbents in the primary or gain new constituencies. So much of the old guard has now been kind of pushed out.”

In the days leading up to the primaries, 40 lawmakers announced their retirement, including Senate Majority Leader Dick Saslaw, Senate Minority Leader Tommy Norment and former Speaker of the House Eileen Filler-Corn. There were also notable primary wins resulting from the new perimeters, like Aird’s decisive win over Morrissey and former Del. Glen Sturtevant’s defeat of another controversial incumbent, GOP firebrand Amanda Chase, in the new 12th Senate District.

“At a macro level, we’ve literally never had turnover like this,” says Greg Habeeb, partner at the Roanoke-based Gentry Locke law firm and a former Republican delegate. “At a minimum, we’ll lose a third of the General Assembly. To find any parallel to that in the history of Virginia, you’d have to go back to Reconstruction.” The lawyer and lobbyist says there were surprises in the primaries but they simply fueled an already volatile election season. “Both bodies are genuinely up for grabs in November, ➔

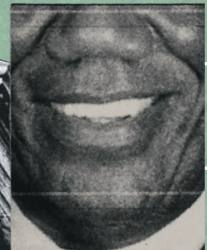


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and that doesn't happen very often."

Meagher notes an additional factor: "You also have folks who are trying to jump from the House to the Senate. There's a sense of, 'I better do this now,' because this is one of those years where everything is up for grabs."

To show how haphazard she thinks the new districts are, Aird points to the outline of the new 13th Senate District. The jagged, crooked contours suggest to her a piece of abstract art. "Redistricting was supposed to ensure that we have shared communities of interest," she says. "I'm in Petersburg and the northernmost point is an hour [away], and so is the southernmost point. You have this interesting makeup of suburban communities with urban, but you could argue that there aren't many shared interests."

From across the aisle, GOP Sen. Siobhan Dunnivant shares Aird's concerns about the redistricting, even as she feels the new 16th District she's running in is "more cohesive."

"As somebody who supported a non-legislative, bipartisan commission, I was disappointed that the commission failed to figure out a good way," she says with a sigh. "I think it was a tortured process. Were the districts constitutionally drawn? I think so. Were there a hundred other ways to do it constitutionally? I think so. Was it a good idea that there were 10 Senate districts with no incumbents? No, I think that is very disruptive. Was it getting away from gerrymandering? I don't know. Every way you draw it, there's some manipulation. I don't think the judges had a dog in the fight, but it's a big risk of destabilization."

Her fellow Republican, Sturtevant, disagrees. "I thought that the maps were, by and large, fair and reasonable," he says. "I'm one who believes that there are benefits to term limits anyway, and that politics shouldn't be a full-time job or career for people. In

Virginia, we still have a true citizen legislature in the sense that we are all part time and have real day jobs. I think it helps to keep Virginia government on the right track."

Del. Schuyler VanValkenburg, a long-time proponent for redistricting who is running against Dunnivant in the 16th Senate District, thinks that people are overestimating the new system. "I think some of the effects of redistricting are a little overstated. We were due for this kind of generational change-over, anyway. I think that [Sens.] Saslaw and Norment and [Janet] Howell and [John] Edwards had kind of reached the end of their service anyway ... but in a way, it was the perfect storm for this kind of change."

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The final maps were "excellent," maintains Liz White, executive director of UpVote Virginia, formerly known as OneVirginia 2021, a civic nonprofit that became a leading voice for redistricting. "Every national expert that has taken a look at them, by any measure, says they look fair and representative. They are certainly better than the old way."

## FORM VS. FUNCTION

To illustrate the scope of the Virginia Senate's turnover, Habeeb points to its Finance & Appropriations Committee. "You look at the list ... they're all gone," he says in reference to Howell, Barker, Saslaw, Norment, Hanger, Vogel and Edwards. [Louise] Lucas and [Frank] Ruff and others are still there, but almost everything in the Senate runs through Finance & Appropriations."

There will be disruption in the House, too, says Del. Delores McQuinn, who beat back a well-funded younger candidate, Terrence Walker, to gain her Democratic nomination in a new 70th District (she runs unopposed in the general election). Thirty House incumbents are retiring. "Losing this number at one time is going to be monumental, I mean, the collective loss and the years they have served. It's an honorable place, but it is a complex institution, and, no matter what side you are on, just trying to navigate in that system can be difficult."

Aird says that there are pros and cons to all of this change. "You'll be getting a younger, more diverse — racially and gender-wise — group of legislators coming in, with different values, different lived experiences, and that most certainly will affect the type of legislation you see. But you lose the institutional knowledge. Without new members being deliberate and understanding the history of the place, you can make mistakes along the way."

The increased polarization won't help. Meagher points out there's less interest among both voters and officials for bipartisan compromise. "That's not the goal any more of law-making. That's an older goal, the kind of goal that Chap Petersen was proud of being a part of," he says, referring to the Fairfax Democrat who lost in an upset to Saddam Azlan Salim in Northern Virginia's 37th Senate District. "But

the goal now is to hold the party line and defend your priorities.”

Habeeb, who served as a delegate for a decade, agrees. “For 20 years, the Senate was the moderating, slow-things-down-to-avoid-change body,” he says. “It didn’t matter who was governor or which party controlled the House, you’d know at the end of the day the Senate would smooth everything out. That’s not the role it’s going to play anymore, and that’s largely because of Saslaw and Norment’s departures.” Cohesiveness will be missed, he stresses. “We’re not a state where there is massive staff and bureaucracy to continue with that institutional knowledge. ... Most members are thin-staffed, and the learning curve is very difficult.”

“In these institutions, you need individuals who are nonpartisan career professionals,” McQuinn says, pointing to the staff behind the House Appropriations Committee as an example. “We need them in all departments. They should always have a place, because they make a difference. I don’t know if they are Republican or Democrat to this day. ... They just do the work and forget the politics.”

Whether there’s dysfunction does depend on the November outcomes, Habeeb says. “If Republicans take control of both bodies, which is not the most plausible scenario, they will have consistency in House leadership. They will lose seniority in the Senate but still have leaders like [Ryan] McDougle and [Mark] Obenshain and a few others. And they’ll have the governor’s office. People might not like the bills that get passed, but the place would run fairly smoothly.”

If Dems keep the Senate and/or take the House, though, Habeeb thinks they’ll have enough institutional knowledge to run the place, “but there will be significant legislative dysfunction because you’ll have a Repub-



lican governor and a Dem legislature that couldn’t be further from one another, and there won’t be the kind of knowledge and relationships left to overcome that divide.

“The one constant in all of this is that we know the governor is going to be the governor.”

### BALANCE OF POWER

How is all of the historic upheaval going to shake out for the final two years of Gov. Glenn Youngkin’s term?

“The primaries broke well for Youngkin and the more moderate wing of the party, but I don’t know how much that will matter in the general election,” says Meagher. “He’s still making hints about his national aspirations, but the Republican Party is still the party of [former President Donald] Trump.”

Some of the state’s more right-wing figures, like Chase and Del. Marie March, R-Floyd, may have been ousted in the primaries, he says, “but the longer-term trends and structural things in the Republican Party haven’t changed. They need to distinguish themselves from Democrats while also appealing to the base in a party that is

extremely to the right.”

“I think the Republican primary elections were just about perfect for the governor,” says Habeeb. “The outcomes increased the odds of them winning a majority in the Senate, at least marginally. On the flip side, the Democratic primaries wiped out several people he could work with in office if the Dems kept the majority — like Barker, Spruill and Petersen.”

“I do think Virginia continues to be in a place where we are still able to govern,” says VanValkenburg, who says he’s optimistic about the new General Assembly. “I’ve been in the majority with a Democratic governor and a minority with a Democratic governor, and in the minority with a Republican governor. Each instance, the legislature and the executive branch were able to work together and solve core issues.”

No matter the outcome on Nov. 7, Aird says, lawmakers will be forced to adapt. “In these institutions, you can only make so much of a difference, because it’s bigger than all of us. While we come and go, the institution still stands and, really, it only allows for so much change.” ■