

Pennsylvania "Redistricting and Reapportionment" in 3 Steps

First Things First: DEFINITIONS and LAWS



What is "reapportionment"? (Congressional) Reapportionment is the redistribution of seats in the US House of Representatives based on changes in population. These changes are recorded by the US Census, which is conducted every 10 years. In the House, Federal law requires that there is always a total of 435 seats (with each seat representing one district). As states change population at different rates, the number of those 435 seats each state holds can go up or down—that is *reapportionment*. After the census of 2020, Pennsylvania *lost one seat*, going from 18 to **17 seats**.

What is "redistricting"? Redistricting refers to the need to "draw the lines" for the new voting districts that are required after *reapportionment*, so that each district has roughly the same number of people.

What laws define these processes?

FEDERAL:

1964 Supreme Court ruled that the **Equal Protections Clause** of the **14th Amendment to the Constitution** requires voting districts to be *equal in population*.

Article I, Section 4 of the Constitution gives the STATES primary authority to regulate Federal elections, including CONGRESSIONAL redistricting. However, this article also states that the *US Congress is the ultimate authority and may supersede state laws*.

STATE:

Article II, Section 17 of the Pennsylvania Constitution mandates that the General Assembly voting districts (PA House and PA Senate) be drawn by a 5-member *commission*. The **commission** consists of the four caucus floor leaders, and together they choose the fifth person to be chair. (If they don't agree, the PA Supreme Court picks the chair.) More at the "**Legislative Reapportionment Commission**" (LRC) website.

***Article II, Section 16 of the Pennsylvania Constitution** requires that districts be "*composed of compact and contiguous territory as nearly equal in population as practicable*" and to avoid dividing a "*county, city, incorporated town, borough, township, or ward*" unless absolutely necessary.

FEDERAL Congressional Map

STATE PA House and PA Senate Maps

HOW does the Census fit in?

1

HOW does the Census fit in?

Public Law 94-171, enacted by Congress in December 1975, requires the Census Bureau to deliver redistricting data to state officials responsible for legislative redistricting no later than **April 1**. More information on the redistricting data program is available on the **US Census Bureau** website. *Due to the pandemic, Census information release date is August 12, 2021.*

In addition to being used as a basis for apportioning seats in the US House of Representatives, and aside from showing how the ethnic, racial, and voting age makeup of neighborhoods has changed since the 2010 Census, *these detailed data will be used by most state legislatures to redistrict or redraw their political districts for elections.*

HOW MANY Maps?

2

HOW MANY Maps?

At the federal level there is **ONE map**. This map is known as a *congressional district map*. This map establishes voting districts for our US House of Representatives. Pennsylvania currently has 18 US House Representatives. Due to the 2020 Census, this year we are losing one US House seat. The new map will divide the state into 17 voting districts to fill **17 seats**.

Note: **2 US Senators** represent the entire state from which they are elected. A district map is not required.

At the state level there are **TWO maps**. These maps are known as *legislative district maps*. These maps establish voting districts to elect the members of the **PA General Assembly**: the **PA State House** and **PA State Senate**. Because we have 203 PA State House members, the one map divides the state into 203 voting districts. As the PA State Senate has 50 members, the second map divides the state into 50 voting districts.

WHO Draws the Maps?

3

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Congressional redistricting in Pennsylvania is done through the *regular legislative process*. A bill defining district boundaries is passed by both the **PA House** and **PA Senate** and is signed by the governor. See **Tracking a Bill**.

NOTE: By Order dated Jan. 22, 2018, the **Pennsylvania Supreme Court** announced that the **Pennsylvania Congressional Redistricting Act of 2011** clearly, plainly, and palpably violated the **PA Constitution**. This Opinion was based upon the "*uncontradicted evidentiary record*" developed in Commonwealth Court by the Petitioners (**LWV of PA et al.**), which established that the 2011 Plan was "*a partisan gerrymander and that this gerrymander was extreme and durable.*"

The Remedy: The PA Supreme Court directed the Pennsylvania General Assembly to submit a new congressional districting plan by Feb. 9, 2018, that would satisfy the requirements of the PA Constitution*. When they failed to do so, the Court drew a new map. **Read the Opinion and Order and see the Remedial Plan (maps) here.**

The **Legislative Reapportionment Commission (LRC)** is responsible for creating both PA House and Senate districts (the General Assembly). This commission hires a mapping expert to help them draw maps. The maps they create become law - no governor or legislature approval required. **Click here for the majority and minority members of the PA House and PA Senate on the LRC.**

- **Dr. Mark Nordenberg**, former chancellor of the University of Pittsburgh, was chosen to chair the commission.
- The LRC has hired **mapping expert Dr. Jonathan Cervas** from Carnegie Mellon who will support the LRC and also review maps submitted by citizens.

What Can I Do?

Attention now shifts to the **drawing of maps** and to preparation for **public hearings** to be held this summer and early fall by the Senate and House State Government Committees (House hearings are underway) and by the Legislative Reapportionment Commission. **Public Testimony is being accepted! House & Senate. Your input with MAPPING TOOL.**



What Can I Do?

- **Hearings and Public Testimony (FDPA)**
- **Testimony is Advocacy Power (FDPA)**
- **Learn More: Open Letter to LRC from Fair Districts PA**
- **Contact Your Legislator (FDPA)**
- **"Contact Your Elected Officials" infographic - (LWVPGH)**

SOURCES: **FAIR DISTRICTS PA**, **Legislative Reapportionment Commission**, **PA Senate and PA House Committee Meetings Schedule**, **PA Unified Judicial System**

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Did you know that FAIR DISTRICTS PA is project of the LEAGUE OF WOMEN VOTERS of Pennsylvania?

