

Senator Jay Costa
Senate Democratic Leader
State Government Public Hearing
March 27, 2018

Thank you for the opportunity to discuss my legislation which would fundamentally change the way Pennsylvania draws its congressional districts. Mr. Chair, it is my honor and pleasure to offer testimony in support of Senate Bill 767 – legislation that creates the Congressional Redistricting Commission.

The bill would provide a fair, balanced and measured process that brings independent voices and new perspectives into the creation of political maps. It would effectively end partisan gerrymandering of congressional districts and develop a platform that promotes equity in congressional representation.

I realize in the drafting of this proposal that there are other plans out there that would change how seats are drawn. Many involve changing the Pennsylvania Constitution, which would be a long, drawn-out process fraught with legislative mischief, given that identical bills must pass in two successive sessions.

Those plans, many of which contain excellent ideas, are hobbled because of the lengthy process involved with changing the constitution. The reality is that we are quickly approaching the General Assembly's deadline to pass those constitutional amendments in time for the 2021 redistricting cycle - a deadline of July 6, 2018 for first passage in order to provide the Secretary of the Commonwealth with the necessary time to meet his publishing deadlines to comply with the requirements of Article XI, Section 1 of the Pennsylvania Constitution.

An alternative is contained in Senate Bill 767. The legislation includes a streamlined approach that would make desired changes without waiting two sessions. If reformers and citizens want

change now, and both the ability to continue the redistricting conversation beyond July 6th as well as applicability to the 2021 congressional redistricting cycle, Senate Bill 767 is the preferred approach.

And that is only one of the plan's strengths. Another is that its proposed redistricting process is built from citizen participation and without partisan pressure. It goes to great lengths to provide an open and transparent process driven by citizen representation. The public would have a 14-day notice of the commission's hearings, the commission would conduct 6 - rather than 4 - hearings designed to encourage public participation from across the state before drawing any plans, publish the preliminary plan in newspapers around the Commonwealth, and maintain a website with census data, plans and encourage public comment and input.

It is a small enough commission to be effective, yet its five members – with two members drawn from each of the major political parties and one independent – is broad enough to encourage diverse views. It is important to emphasize that lawmakers, their family members and lobbyists are banned from serving as commission members.

The panel would be required to adhere to the requirements of the 1965 Voting Rights Act and charged with avoiding county and municipal splits. Districts crafted by the commission would be as equal in population as possible.

As a veteran of the legislative process, I have been in the Senate long enough to know how the reapportionment of congressional seats is achieved. Each decade, a select few leaders of political parties gather, receive input from sitting members of Congress from each party and then draft legislation. When government is split among parties, there is negotiation on a final map. When one party is in total control, as in 2011, the other party is steamrolled.

We don't have to look far for evidence of what happens when an unbalanced plan full of gerrymandered districts is approved. There is angst and disgust among voters and frustration

for policymakers who recognize that putting politics ahead of the people's interest is counterproductive.

Gerrymandered districts drive parties to the extremes -- leaving precious few competitive districts. When primary election victories are tantamount to General Election wins, there is something wrong with the process. And, that, is what I am trying to rectify with Senate Bill 767.

When districts are gerrymandered, citizens can only seek relief in court. The Supreme Court may step in and rebalance. That is exactly what happened in Pennsylvania this year.

There is a better way and it is spelled out in Senate Bill 767. If my plan is adopted, we don't have to wait for a constitutional amendment to wind its way through the legislative process. The change can happen quickly. Our citizens would drive the process, not politicians.

After all, giving citizens the keys to open the doors to government is what democracy is all about. We need to have confidence that they can do the job. Senate Bill 767 puts their interest first. It's the right thing to do.

I ask the committee to take a long hard look at my plan contained in Senate Bill 767.

Thank you.