



Office of the Adams County Commissioners

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TO: Pennsylvania House State Government Committee

It is an honor and a privilege to be asked to provide testimony to this Committee regarding the issue of Congressional representation in the Commonwealth of Pennsylvania, and specifically on the topic of re-districting. I appreciate the invitation that 91st District Representative Dan Moul has extended to me in my capacity as Adams County Chair Commissioner to present my thoughts to the Committee. My apologies to the Committee and Representative Moul for being unable to present my thoughts in person due to a prior commitment.

I am a life-long resident of Adams County, Pennsylvania. I retired in 2008 after 30-years of service as a United States Law Enforcement Ranger, National Park Service. From 1995 - 2019 I was a principal, operations manager, and incident commander for the Annual Gettysburg Civil War Reenactment, hosting some 500,000 visitors and 100,000 reenactors across that span of time. From 2011 to present, I have chaired the Adams County Board of Commissioners. From 2012 to present, I have held a seat on the CCAP Region 3 Board of Directors, representing Adams County and 9 other counties to our west.

The re-districting discussion that is before this Committee should, in my mind, balance several key concepts. The first concept is one of fairness, equality, and community unity. Any proposed re-districting plan should be fair and equal and should promote unity in existing communities. The second is non-partisanship. Re-districting to create a party stronghold in that district is not a legitimate exercise of power. The third involves population growth as recorded by each subsequent decennial census, that is constrained by the 435-delegate cap on the size of the House of Representatives.

A fundamental question to be answered by this Committee: Is an independent, non-partisan re-districting process possible per the design put forward by our Founding Fathers? John Adams and the Framers of the Constitution thought legislative bodies should be "an exact Portrait, a Miniature, of the People at large." In other words, the vision that the Founding Fathers expressed was one where congressional districts were drawn to ensure that they would be reflective of the electorate.

Can the Pennsylvania legislature, or any other state legislature, conduct or order a fair, independent, and impartial process that does not end up in the State or U.S Supreme Court? I would hope so, but it is hard to envision in this age of partisan politics. It is a reality that those judicial bodies, which provide a critical function in our tripartite government structure, may now also be viewed as political, a perception shared with re-districting in Pennsylvania recently being heard by the Pennsylvania Supreme Court – then not heard by the U.S Supreme Court. Do the members of the Pennsylvania General Assembly have a unified commitment to eliminating any processes or laws that cater to gerrymandering? Gerrymandering must be eliminated to instill voter confidence in re-districting initiatives. The way district lines are drawn can unify a district - or split it

apart. Saying that one supports fair re-districting, and showing it by one's actions, are two wholly different matters.

In Pennsylvania, it seems that we currently have it backwards. Having legislators draw their own districts is a conflict of interest. Having legislators pick out who they want as their voters is a conflict and a detriment to our founder's ideals. Without mandates devoted to fairness, equality, independence and non-partisan vision, we would be inviting legislators to draw boundaries that maximize their own individual influence within the legislative body and to aim re-districting efforts at keeping their seats secure. The current process, practiced by both Republicans and Democrats in Pennsylvania, is redistricting gone wrong. It is a process driven by partisan politics, mapping technology, big data, and outside money. It is meant to benefit political parties - not people.

Competitive elections at least by design, help keep politicians accountable. However, approximately 50% of Pennsylvania House and Senate General Election races go unopposed. Many voters feel understandably frustrated, so they have disengaged from the election process. We have already witnessed that gerrymandering allows outside money and influence to control party agendas, and makes it easier for the members on the fringe of the party to gain control of, or undue influence over, the party.

Geographically far-flung and fragmented districts also potentially impact the ability of legislators to serve their constituents. Even well-meaning politicians sometimes can't do their jobs because of the size of their district and travel time to cover these distances. It is difficult to represent spread-out communities with different needs and priorities, not to mention effectively maintain offices across wide geographic areas, and do the real work of governing.

Our 13th Congressional District encompasses all or parts of 10 counties. It had previously been more compact limited to Adams County, York County, the eastern portion of Cumberland County and most of Harrisburg. The "new" PA 13th stretches approximately 160 miles from York County in the east - to Fayette County to the west. Congressman Joyce does a phenomenal job of representing Adams County given the number of counties and distance he must cover; but ideally is 10 Counties and 160 miles good governance for the constituents or their representative?

This problem is about to be aggravated due to Pennsylvania's sluggish population growth in comparison to other states, as evidenced by the 2020 decennial census results. Pennsylvania is set to lose one of its 18 congressional seats. That creates a politically fraught task for the Republican-controlled legislature, which is charged with drawing a new map that is palatable to a Democratic Administration.

Adams County has a population of 105,000 with an economy based largely on tourism and agriculture. The racial makeup of the population is white with a growing population of Hispanics. Adams County has always hosted a significant Hispanic migrant population due to its agricultural base. That base has been slowly becoming less migratory necessitating increased service to that population. Since Adams County has limited manufacturing and industry, residents commute to York County, Dauphin County, Cumberland County, Franklin County and Frederick County, MD for jobs. The median household income is approximately \$67,000 with 5% of the population living below the poverty level. These are several important socio-economic factors that any re-districting body must be familiar with and give due deliberation to in considering how re-districting could impact the population of Adams County.

On average, as of a 2018 Pew report, there is 1 voting congressional member for every 747,000 Americans. This is the highest population-to-representative ratio among a peer group of industrialized democracies. Of course, it is also the highest it's been in U.S. history. Since the number of House seats first reached its current

total of 435 (excluding nonvoting delegates), the representation ratio has more than tripled. It was 1 representative for every 209,447 people in 1910, and now is 1 for every 747,184. The 1929 law authorizing the 1930 census capped the size of the House at 435. Maybe it's time for Congress to re-visit this cap in light of the 2020 decennial census results.

As mentioned above, I have been the CCAP District 3 Board Representative for 9 years. As such, when asked to provide this testimony, I felt it prudent to inquire as to CCAP's position on re-districting. I have found CCAP to be an engaged non-partisan sounding board for issues involving counties. Interestingly there was only brief mention of re-districting. "The Association supports legislation that would provide further definition to the reapportionment process to meet the objective of balanced and cohesive legislative and congressional districts. (Added 2017, readopted 2021) The proposed resolution asserts that the current redistricting system often results in gerrymandered districts, and proposes that the law's district boundary standards be amended in a way that would result in districts that are more cohesive and more reflective of a community of interest." The only CCAP mention is a caution against splitting municipalities among districts if it can at all be helped, as this causes administrative headaches for counties trying to locate polling places and often confusion among voters. I was told that CCAP members have largely avoided a philosophical position, instead focusing on the administrative impacts of implementing the districts once determined.

The solution to fair and transparent re-districting lies with YOU the state legislators. Whether Republican or Democrat - you have the power to implement re-districting changes that will enhance "the exact Portrait, a Miniature, of the People at large."

Pennsylvania needs to shed its past image of being a hotbed of partisan gerrymandering. Every decade the legislature has the opportunity to address the need for re-districting in a fair and impartial and nonpartisan manner. When voters go to the polls, they should have trust and confidence in the system. They should not feel as though their votes don't matter because their district lines have been manipulated by partisanship. The process should be transparent and deliberations public, as evidenced by this hearing.

Thank you to the Committee and to Representative Moul for allowing me to submit these prepared remarks.

Randy L. Phiel
Adams County Commissioner Chairman