

MEETING MINUTES
2021 PA LEGISLATIVE REAPPORTIONMENT COMMISSION

Date and time of meeting: October 25, 2021, 10:00 a.m. – 10:28 a.m.

Location: Room 8E-B Capitol East Wing

AGENDA

1. Call to Order and Opening Remarks
2. Report on Processing of Census Data by Brent McClintock,
Executive Director, Legislative Data Processing Center
3. Resolution 6A—Certifying 2021-10-14 LRC Data Release
No. 2 (with prisoner reallocations) as Usable for the
Purpose of Reapportioning the General Assembly
4. Resolution 6B—Certifying 2021-10-05 LRC Data Release
No. 1b (without prisoner adjustment) as Usable for
Purposes other than Reapportioning the General Assembly
5. New Business / Discussion
6. Adjournment

Chair Mark Nordenberg called the meeting to order at 10:00 a.m.

He welcomed the members of the public who were in attendance, either in person or through the Commission's livestream, and recognized the other members of the Commission in attendance:

- House Majority Leader Kerry Benninghoff
- Senate Democratic Leader Jay Costa
- House Democratic Leader Joanna McClinton
- Senate Majority Leader Kim Ward

Chair Nordenberg then stated that this meeting was critically important for the ongoing work of the Commission. He stressed that the Commission was poised to certify that it has received useable Census data and that, therefore, the work of drawing Senate and House district maps could begin. He also noted that by certifying the receipt of usable data retroactively to October 14, 2021, the 90-day period within which the Commission must file a preliminary reapportionment plan would have started to run as of that date, and the time period would expire on January 12, 2022.

Chair Nordenberg noted that the data received from the U.S. Census bureau has been verified and adjusted, as required, by the Legislative Data Processing Center and the Penn State Data Center. He then introduced Brent McClintock, Executive Director of the Legislative Data Processing Center to provide more detail into the adjustments that were needed to be made to the U.S. Census data.

Mr. McClintock then described the timeline and the process required to prepare the census data for use by the Commission. He stated that on August 12, 2021, the U.S. Census Bureau released its P.L. 94-171 data set that provided the results of the 2020 Census population counts for the Commonwealth of Pennsylvania. This data covered Pennsylvania's 9,178 voting precincts and approximately 337,000 census blocks. Due to some changes in voting precincts since the Commonwealth's last submission to the Census Bureau in December 2019, adjustments had to be made in order to provide the most accurate data set. The Legislative Data Center, working with the Penn State Data Center found that changes and adjustments were needed across the boundaries of 66 voting

precincts. Population adjustments were made across 48 separate columns of Census demographic data including at the block, track, precinct, municipality and county levels. There were also 53 split blocks identified, and those populations were distributed to the correct voting precinct. Following those corrections, the Penn State Data Center adjusted data set No. 1 to reallocate most of the prisoners held in State Correctional Institutions. He noted that based on data provided by the Department of Corrections, 26,821 prisoners were reallocated to their home locations.

Mr. McClintock stated that the corrections and adjustments to the census data were accomplished well ahead of the estimated target date of early November. He thanked his staff at the Legislative Data Processing Center as well as the leadership and staff of the Penn State Data Center for their thorough and responsive work over the past several months.

Chair Nordenberg thanked Mr. McClintock for his presentation, noting that this was the third time that Mr. McClintock has appeared to testify before the Commission on the matter of processing the data. Chair Nordenberg pointed out that in a previous presentation in July, Mr. McClintock had stated that for the reapportionment processes of 1990, 2000, and 2010, there were at least four months between the release of the U.S. Census P.L. data and the certification of the data by the respective Commissions but he hoped to reduce the time needed down to two months. Chair Nordenberg emphasized that Mr. McClintock did achieve that goal by getting both data sets ready by October 14.

Commissioners Ward and Costa both extended remarks of sincere thanks to Mr. McClintock and his staff. Commissioner Costa specifically cited the very open and transparent process had been used in getting the data prepared for certification.

Chair Nordenberg then introduced Resolution 6A. This resolution certifies that data set 2021-10-14 LRC Data Release No. 2 contains the population data necessary for the Commission to reapportion the General Assembly, that the data set also includes adjustments necessary to reallocate prisoner data, that this data set was received in usable form on October 14, 2021, and that the 90-day period for the Commission to file its preliminary plan will have started on October 14,

2021, and will expire on January 12, 2022. The adjustments to the data set for the reallocation of prisoners were previously approved by the Commission through Resolution 4A and Resolution 5A.

Chair Nordenberg then called for a motion on Resolution 6A.

- Motion by Commissioner McClintock to approve Resolution 6A
- Second by Commissioner Ward

Chair Nordenberg then opened the floor for comments. Commissioner Benninghoff noted that the resolution applies to the data set that reallocates only the State inmate population. He emphasized that Federal, county and municipal prisoners are not included in the reallocation and wanted the record to reflect that specific information. Chair Nordenberg reminded the Commission members that previously approved Resolution 4A and Resolution 5A were specific as to apply to only State prisoners.

Chair Nordenberg then called for the vote on Resolution 6A.

- Commissioner Benninghoff – No
- Commissioner Costa – Aye
- Commissioner McClinton – Aye
- Commissioner Ward – Aye
- Chair Nordenberg – Aye

The resolution passed by the vote 4-1.

Chair Nordenberg stated that the data set that had been certified will be provided to the outside, internet mapping software providers and within several days, those who are interested in submitting proposed maps will be able to do so through the Commission's website. He urged that those submitting maps should do so as soon as possible and not wait until the end of the 90-day time period. He noted that the Commission will now be moving forward with all deliberate speed in preparation for the filing of its preliminary plan.

Chair Nordenberg then called for consideration of Resolution 6B. This resolution calls for the approval of 2021-10-05 LRC Data Release No. 1b, the population data set for the Commonwealth without prisoner adjustment that was received by the

Commission in a form usable for purposes other than reapportioning the General Assembly.

Chair Nordenberg then called for a motion on Resolution 6B.

- Motion by Commissioner McClinton to approve Resolution 6B
- Second by Commissioner Benninghoff

Chair Nordenberg then opened the floor for comments. Commissioner Costa stated that he would be voting “no” on this resolution. He stressed that it is inappropriate for the Commission to have available two distinct sets of data that would be available to the public. He said that the data set approved under Resolution 6A should be the data set that is used by the General Assembly for congressional district reapportionment. Commissioner Costa also raised his concern that by having two approved data sets, this might bring specific legal challenges. Commissioner Benninghoff said he is supporting the resolution because it better and more consistently represents the data that was collected by the U.S. Census Bureau in counting the population of Pennsylvania, as has been the past practice of previous Commissions.

Before calling for the vote, Chair Nordenberg stressed that he also has been concerned about certifying two data sets but there are other states that use one data set for redrawing the legislature and a different data set for congressional redistricting. He also feels that the Commission could not indirectly impose our choice on the legislature as to which data set it uses to draw the congressional map.

Chair Nordenberg then called for the vote on Resolution 6B.

- Commissioner Benninghoff – Aye
- Commissioner Costa – No
- Commissioner McClinton – Aye
- Commissioner Ward – Aye
- Chair Nordenberg – Aye

The resolution passed by the vote 4-1.

There being no further business, Chair Nordenberg adjourned the meeting

at 10:28 a.m.