

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2021-05]

Pennsylvania Redistricting Advisory Council

September 13, 2021

Whereas, the success of our democracy demands fair, equitable elections, and transparency in the election process; and

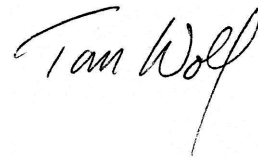
Whereas, the Pennsylvania Redistricting Reform Commission established under Executive Order 2018-07 examined and offered recommendations for Pennsylvania's redistricting process; and

Whereas, Pennsylvania's Congressional districts must be drawn to provide for representation of minority groups and must create districts that are compact, contiguous, and keep communities together, so that our elected officials reflect and represent the communities they serve; and

Whereas, the Free and Equal Elections Clause of Pennsylvania's Constitution, Pa. Const. Art. I, § 5, requires that these traditional neutral redistricting criteria not be subordinated to extraneous considerations such as gerrymandering for unfair partisan political advantage; and

Whereas, advances in metrics and analytic tools allow redistricting plans to be evaluated for adherence to neutral redistricting criteria and the extent to which a proposed map unequally advantages one political party over the other in the translation of statewide votes into the partisan division of electoral districts.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth do hereby establish the Pennsylvania Redistricting Advisory Council and order and direct as follows:



Governor

Fiscal Note: GOV-2021-05. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter NNN. PENNSYLVANIA REDISTRICTING ADVISORY COUNCIL

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§ 6.781. Purpose.

The purpose of the Pennsylvania Redistricting Advisory Council is to provide recommendations to assist the Governor in the evaluation of congressional redistricting plans.

§ 6.782. Responsibilities.

The Pennsylvania Redistricting Advisory Council shall:

(1) Review and consider policies and practices implemented in other states that have reduced gerrymandering;

(2) Develop factors to be considered in the evaluation of a redistricting plan to determine whether a plan improves the integrity and fairness of this Commonwealth's congressional redistricting plan, including the prevention of dilution of individuals' votes;

(3) Offer recommendations regarding the analytic tools and metrics that may be used by the Governor in evaluating congressional redistricting plans to ensure compliance with traditional neutral redistricting criteria such as compactness, contiguity and prevention of divisions of political subdivisions, as well as additional subordinate factors to ensure proportionality and prevent the dilution of any group or individual's vote;

(4) Undertake any additional work related to the evaluation of congressional redistricting as requested by the Governor.

§ 6.783. Composition.

The Pennsylvania Redistricting Advisory Council shall consist of up to six members with experience and expertise in political science, mapmaking and redistricting law who shall be appointed by and serve at the pleasure of the Governor. The Governor will fill vacancies as they occur.

§ 6.784. Procedures.

(a) The Pennsylvania Redistricting Advisory Council (Council), in its discretion, may solicit information from advisory non-members.

(b) A majority of members of the Council shall constitute a quorum. Participation through an electronic platform or virtual platform shall be considered attendance for purposes of a quorum.

(c) The Council may hold one or more public meetings to obtain public input regarding redistricting prior to delivering its recommendations to the Governor.

§ 6.785. Report.

The Pennsylvania Redistricting Advisory Council shall provide a written report to the Governor that includes its recommendations for evaluating integrity and fairness of congressional redistricting plans, no later than November 1, 2021, or such other date as determined by the Governor.

§ 6.786. Compensation.

Members of the Pennsylvania Redistricting Advisory Council (Council) shall not receive compensation for their service on the Council, except that members shall receive reimbursement for reasonable travel costs and expenditures incurred while performing Council business in accordance with the Commonwealth's travel and subsistence policies. See Chapter 40 (relating to travel and subsistence).

§ 6.787. Responsibilities of State agencies.

Commonwealth agencies under the Governor's jurisdiction shall cooperate with and provide assistance to the Pennsylvania Redistricting Advisory Council with respect to its purpose and responsibilities, as set forth in this subchapter.

§ 6.788. Effective date.

This subchapter shall take effect immediately and shall remain in effect unless revised or rescinded.

[Pa.B. Doc. No. 21-1611. Filed for public inspection September 24, 2021, 9:00 a.m.]