



# GOVERNMENT MATTERS

E-NEWS OF NOTE FROM GOVERNMENT RELATIONS

May 6, 2021

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## Government 101: How U.S. Census Data Impacts the Political Process

2021 marks a once-a-decade milestone in the electoral process – the arrival of the 2020 U.S. census data. This data is used for two related tasks to measure each state’s federal representation in the U.S. House of Representatives:

- 1) Apportionment, or how many representatives (out of 435) each state gets. It also impacts the number of Electoral College votes each state gets (the total number of a state’s U.S. House seats plus 2 for each state’s U.S. Senators).
- 2) Redistricting, or the drawing of boundaries to ensure each House district is roughly the same population size. U.S. Census data is also used to redraw the boundaries for state legislative districts.

### Here’s a quick overview of the state apportionment for ERIE’s footprint:

- Looking at the net gain/loss for the 12 states, ERIE’s operating territory was a minus four overall, losing five U.S. House seats (one each in Illinois, New York, Ohio, Pennsylvania and West Virginia) and gaining one seat (North Carolina).
- While West Virginia and Illinois actually lost population, the negative change in House seat apportionment for Pennsylvania, Ohio and New York happened despite population gains. These states are gaining people, just not as fast as other states. One interesting statistic came from New York, where the state fell a mere 89 residents short of retaining the seat it lost.

### Redistricting Timeframes Pushed Back

Redistricting happens later at the state level, and in a normal year, the Census Bureau must provide population data to states by April 1. States then have until the deadlines set under their laws to redraw districts – many complete this process well before the end of that same year. However, due to COVID-19 delays, the U.S. Census Bureau announced earlier in 2021 that states would receive redistricting data in August.

States take different approaches to redrawing Congressional and state legislative districts, but a majority accomplish these tasks through their state legislatures. The rest use independent or political commissions for redistricting.

Pennsylvania, for example, has the state legislature redraw Congressional districts but uses a political commission of appointees chosen by state legislative leaders to redraw state legislative districts. The four legislative leaders on the panel failed to agree on a chair after interviewing more than 30 people, giving the responsibility of naming a chair to the high court. The Pennsylvania Supreme Court announced Monday that it had appointed Mark Nordenberg, who previously served as the dean of Pitt’s law school, to the Legislative Reapportionment Commission as Chair. Republican lawmakers will draw a new congressional map as part of legislation, but it must go to Democratic Gov. Tom Wolf for approval. Should they fail to reach an agreement, the state Supreme Court could be asked to step in. The five-member Legislative Reapportionment Commission, meanwhile, draws the state House and Senate maps. Anyone may challenge the final maps, and if that happens, the map will be sent to the high court for review.

Whatever the method, the five or six month delay on redistricting data could have a big impact in states with 2021 deadlines or odd-year state elections. In ERIE's footprint, a few states stand out:

- Virginia may have the most unique situation with its odd-year state elections. The state legislature will hold a special redistricting session upon receipt of the census data. However, this will not be in time for the House of Delegates election in November, so delegates could face a special election again under redrawn maps in 2022 and then as regularly scheduled in 2023 – potentially three straight years on the ballot! On a historical note, this happened forty years ago in 1981. Virginia is also switching to a new bipartisan legislator-citizen redistricting commission for the first time.
- Three other ERIE states could have challenging timeframes to complete redistricting: Ohio and Illinois have constitutional redistricting deadlines of 2021, while Indiana has a statutory deadline for redistricting in 2021.
- While other ERIE states do not have deadlines until 2022, some may try to get the task accomplished this year, such as Pennsylvania, North Carolina and Wisconsin.

#### Looking Ahead

Despite the COVID-19 delay, the federal and state governments will be moving ahead in 2021 and 2022 with these two electoral tasks based on U.S. Census data. The resulting changes will shape the legislative environments that insurers face for the next ten years.