

MEMORANDUM

TO: All Members of the General Assembly

FROM: Mark B. Cohen, Democratic Chair, Human Services Committee

DATE: August 18, 2011

RE: OPPOSING INCREASING THE SIZE OF LEGISLATIVE DISTRICTS

On August 9, 2011, I was among those who testified before the House State Government Committee against proposals to reduce the size the Pennsylvania Legislature. **The proposals I testified against can best be described as “proposals to increase the size of legislative districts” or “decrease representation in the General Assembly” or “force 1/2 of the House into a battle with another House member for re-nomination or re-election in 2022.”**

More Expensive Campaigns and Less Representation

As I told the committee, reducing the size of the legislature is likely to be counterproductive in various ways. Legislative critics Russ Diamond and Eric Epstein have said that a smaller legislature will only make things worse. Epstein has repeatedly said that reducing the size of the legislature is “like political cotton candy; it tastes good” but is not very nutritious or worthwhile. Diamond points out that Senate campaigns cost much more than House campaigns: the larger the constituency, the fewer the people who have access to the money needed to contest the seats, and the smaller the pool of candidates. I would add that the requirement to raise more money to campaign in larger districts just makes legislators even more beholden to the monied special interests and contributors.

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Cutting the members of the General Assembly 25% will not cut the number of lobbyists by 25%, or the number of constituent complaints by 25%. It will only serve to make the legislature more remote from the average citizen and less representative of the average citizen. We in the General Assembly are not only the agents of our constituents, but we often are the only agents our constituents have in governmental policymaking. For the most part, they do not have lobbyists and Political Action Committees. Increasing the size of districts and the costs of election campaigns does not increase the quality of representation; it diminishes it.

Illusory Cost Savings

Lest we forget, the entire cost of the Pennsylvania General Assembly is now about \$273 million dollars a year - - only about one percent of Pennsylvania's operating budget and only about ½ of one percent of all state expenditures within the General Fund and outside of it.

Getting rid of 50 or 60 state legislators has – at best-- roughly the same fiscal impact as getting rid of a single high school in our Commonwealth. I say “at best” because fewer legislators will likely demand more district office locations and staff to cover the geographically larger districts with numerically more constituents that are demographically more diverse. (Professor Bev Cigler also made this point.) Not to mention, closing constituency service offices would be far less popular with constituents than with newspaper editors.

Collegiality

Our size of membership is small enough that we can talk to each other easily, and large enough so as to encourage us to focus on the substance of the issues, but not dwell on petty personal differences. A reduction of 50 legislators produces as many as 100 legislators get thrown into Primary or General Election runoffs with another incumbent legislator. Many more will be justifiably fearful of such a runoff election. At a time when we need more collegiality and less rancor, these proposals guarantee the opposite.

For the rest of the decade after such a constitutional amendment is enacted, legislators will be striving to distinguish themselves from those around them in order to better be able to defeat whatever colleague is placed in the same district- - hardly a situation which will make it easier to build consensus to accomplish worthwhile goals.

Cotton Candy: on reflection, not likely to be nutritious.

Reducing the size of the legislature has always been a popular “reform” that failed to pass the test of reflective scrutiny. The 1873 constitutional convention that gave the legislature its current size acted wisely. Let us recognize their wisdom, regardless of our party affiliation, ideological orientation, or regional loyalties. At the 1968 Constitutional Convention, Republican and Democratic Delegates representing rural agricultural interests united with cities both small and large to protect their representation by soundly trouncing attempts for even marginal reductions in the size of the state legislature. In 1974 the State Senate passed Senate Bill 114 to reduce the Senate to 40 Senators and House to 121 members; but, Republican House Speaker Ken Lee promptly announced his opposition because it would hurt rural areas and the measure died in committee. The bill’s prime sponsor, Senator Robert Fleming, was defeated for reelection. Most recently, Speaker Dennis O’Brien’s Commission on Legislative Reform in 2007 held hearings on reducing the legislative size, and found few people interested in testifying for it. The idea of reducing the size of the legislature went nowhere.

According to Penn State Professor Beverly Cigler, who also testified before the State Government Committee, Pennsylvania was not unusual in this regard “between 1902 and 1990, 50 legislative chambers were enlarged by statute or referendum and only 11 were made smaller.” Nor are Pennsylvania’s districts smaller than the average. All but 18 states have fewer constituents per House district, and all but seven have fewer constituents per Senate district.

So, why are we moving to INCREASE the number of constituents per district? The losers are our constituents and democratic representation. Merging rural areas into suburbs and small cities into the suburbs for representation purposes is not likely to be any more popular in 2012 than it was in 1968. Suburbs are not homogeneous entities. Wherever located, distinct and diverse communities deserve actual representation that recognizes their diversity—not reform without substance.