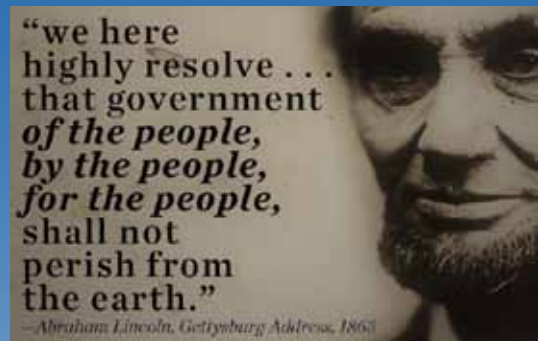


# DEMOCRACY IN PENNSYLVANIA



## **About the Keystone Research Center**

The Keystone Research Center (KRC) was founded in 1996 to broaden public discussion on strategies to achieve a more prosperous and equitable Pennsylvania economy. Since its creation, KRC has become a leading source of independent analysis of Pennsylvania's economy and public policy. KRC is located at 412 North Third Street, Harrisburg, Pennsylvania 17101-1346. Most of KRC's original research is available on the KRC website at [www.keystoneresearch.org](http://www.keystoneresearch.org). KRC welcomes questions or other inquiries about its work at 717-255-7181.

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Howard Wial wrote the 1999 "Democracy in Pennsylvania," a report ahead of its time that substantially shaped this report. Pete Quist and Caleb Burgham guided us through data available from the National Institute on Money and Politics at [www.followthemoney.org](http://www.followthemoney.org) and answered numerous questions. Chris Warshaw, Nick Stephanopoulos, Eric McGhee, and Simon Jackman provided data and estimates on voting and gerrymandering in Pennsylvania congressional, state Senate, and state House districts. Marc Stier and John Neurohr sharpened the messaging and provided input on policy recommendations. Irwin Aronson, Bev Cigler, Joe McLaughlin, Lazar Palnick, Nick Stephanopoulos, and Chris Warshaw provided helpful guidance and/or feedback on a draft of this report. Stephanie Frank laid out the figures in the report and the report itself. Erica Freeman edited the report. John Neurohr also oversaw the release and dissemination effort.

## **Support Keystone Research Center**

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# Table of Contents

Overview .....	2
Political Democracy and Economic Inequality.....	7
Money and Politics .....	10
<i>Election Campaign Contributions</i> .....	10
<i>Independent Expenditures – “Dark Money”</i> .....	15
<i>Lobbying</i> .....	16
Electoral Competition .....	18
<i>Partisan Gerrymandering</i> .....	20
<i>The Pennsylvania Supreme Court Redistricting Decision</i> .....	26
Political Participation .....	27
Confidence in Government .....	29
Closing Pennsylvania’s Democracy Deficit .....	31
End Notes .....	35

## Overview

Nineteen years ago, in advance of the July 4th celebration of the birth of our nation, Keystone Research Center issued a report on “Democracy in Pennsylvania.”<sup>1</sup> The report put two well-known facts next to one another: the gap between the haves and have-nots and the importance of money in politics. It raised the question: could the interaction of economic inequality and the increasing importance of money in politics threaten Pennsylvania’s democratic ideals? Does money in politics and the growing concentration of income and wealth block policymakers from enacting public policies that address the needs and concerns of middle- and lower-income Pennsylvanians? Are we at risk of replacing democracy of, by, and for the people with a political system responsive primarily to an economic elite dominated by big corporations and narrowly self-interested donors?

This year, we revisit these basic questions with the futures of America’s, and Pennsylvania’s, democracies hanging even more in the balance. Today, the income and wealth gap between the haves and the have-nots yawn even wider and the importance of money in politics has grown inexorably. More so in Pennsylvania than most states, these trends have been coupled with an unprecedented effort by the majority party in the state legislature — the party most allied with big corporations and the 1% — to draw legislative district lines that establish and help maintain political power beyond the majority party’s level of voter support. It has also been accompanied by efforts to enact laws (e.g., the Voter ID law rejected by the Pennsylvania courts) that would further erode turnout among low-income people and lawmakers’ responsiveness to working families.

Yet alongside indicators of further erosion of our democracy there have come signs that “we the people” of Pennsylvania want to reclaim our politics. Through the courts, Pennsylvania citizens and the League of Women Voters successfully challenged our state’s unfair congressional districts which since 2011 have allowed Republicans to win 13 out of 18 seats with only a bit more than half the total vote in all 18 races. Across the state, grass roots citizens groups — sometimes called “indivisible” and “resistance” groups and now networked through “PA Together” — have sprouted up, seeking to hold federal and state lawmakers and candidates accountable. In primary elections for Pennsylvania state House and Senate seats in 2018, 25% more people ran for office, a symptom of the urgency at the grass roots level about the need to change the direction of our state.

This report has two main themes. The first is that **Pennsylvania’s democracy is not healthy**, as measured by the amount of money in politics, electoral competition (do voters have choices in primary and general elections?), political participation (e.g. voter turnout), and confidence in government. The second is that **the citizens of Pennsylvania still have the power to revitalize their democracy**. Many are already trying to do that. We applaud their efforts and urge others to join them by making sure they register to vote, show up on election days, and seek out other opportunities to participate and have a voice. Opportunities and movements that can reverse Pennsylvania’s drift towards oligarchy and revitalize democracy do not come along often. We urge Pennsylvanians to grab the chance that exists this year, and over the next several years, before the responsiveness of our state’s government to “the people” and the common good is lost permanently.

## *Wealth, Income Inequality, and Political Influence*

Wealth can translate into political influence through direct contributions to political candidates and through investment in political lobbying. It can allow wealthy individuals to run for office by “self-funding” their campaigns. The corrosive impact of wealth inequality on our democracy is greater now because wealth inequality is approaching the level at its peak in U.S. history just before the 1929 stock market crash. Since 1978, the share of wealth held by the top 1% in the United States has risen from 23% to 42%.<sup>2</sup> Most of the 18-percentage-point increase in the top 1% wealth share has accrued to just the top one-tenth of one percent (0.1%) — or one out of every 1,000 Americans. The members of this group have a minimum of \$20.6 million in wealth and some are worth many billions. Even on the inflated scale of today’s money in politics, the members of this tiny “donor class” can have a major impact on political races with a negligible dent in their wealth, in some cases earning back much bigger amounts in the form of lower taxes or other changes in policies.

## *Money and Politics*

Pennsylvania has some of the weakest campaign finance laws in the country. It imposes no limitations on the amount of money that individuals, political action committees (PACs), and state parties can contribute to candidates — one of only 10 states without any of these limits<sup>3</sup> — and does not restrict the amount individuals and corporations can contribute to PACs.

The average amount of campaign contributions to Pennsylvania Senate candidates has more than tripled in inflation-adjusted dollars since 1998, from about \$230,000 to just over \$700,000.<sup>4</sup> The increase in state House races has been smaller — a 60% rise from \$67,000 in 1998 to \$107,000 in 2016. Notwithstanding the rise in small donor contributions to some candidates (e.g., Bernie Sanders), “non-individuals” (which includes political action committees set up by corporations, labor, industry and professional associations) now account for about 70% of contributions. They accounted for less than half in 1998. The natural gas industry alone contributed \$10 million to Pennsylvania political candidates from 2007 through 2017.<sup>5</sup> It also spent \$67.8 million lobbying.

At the national level, a major shift has been a decline in contributions from labor political action committees relative to corporate. In 1978, labor PACs contributed more to congressional candidates than corporate PACs. By 2016, corporate PACs were contributing 3.91 times as much according to the Brookings Institution. The Center for Responsive Politics (CRP) puts the business-PAC fundraising advantage over labor higher, at close to 7:1. In Pennsylvania, there is no clear trend in labor vs. corporate PAC contributions since the late 1970s. Using a broader definition of business contributions that includes individual as well as business contributions, CRP puts the business-labor campaign contributions ratio nationally at 16:1. With respect to lobbying nationally, the main way money impacts politics between elections, CRP estimates business spent \$29.5 billion since 2007, 63 times labor’s \$472 million. (No good data exist on lobbying expenditures within Pennsylvania.)

While it will not directly impact PAC contributions (which cannot come from union dues or “fair share” payments from nonmembers), the *Janus v. AFSCME* decision announced by the U.S. Supreme Court on June 27 could reduce the voice of labor unions in public policy. The court decided 5-4 to reverse a longstanding precedent that public sector workers represented by a union but who are not members can be required to pay a “fair share” towards the union’s costs of that representation. The decision will reduce labor union resources available to fight for policy priorities that benefit all working families.

## *Electoral Competition*

Electoral competition — having two or more candidates to choose from in a primary or general election — is one of the defining features of a vibrant democracy.<sup>6</sup> From the 1940s to the 1970s, Pennsylvania enjoyed significant choice in state legislative races. Fewer than 5% of state legislative incumbents had uncontested general elections. By contrast:

- From 2010 to 2016, 40% of state Senate incumbents and 45% of state House incumbents faced no general election opponent.
- Over the past four decades, incumbents running for state House and Senate elections lost reelection less than 5% of the time — down from a third in state Senate seats in the 1930s.
- Four times out of five, state legislative incumbents over the past 40 years have won their general election races by big margins (with at least 60% of the vote). Primary elections also have low amounts of electoral competition in Pennsylvania.
- In 2016, 92% of state legislative races had an incumbent and 86% of those incumbents ran unopposed in their party's primary. Both figures are about 10 percentage points higher than national averages for state legislatures.<sup>7</sup>

In a break with long-term trends, the 2018 primary elections offered a hint of an increase in electoral competition, likely due to the rise of local citizen “resistance” and “indivisible” groups after the 2016 election of President Trump. The number of candidates in the 228 state legislative races (25 Senate and 203 House) jumped by 97, 25% more than in the 2016 number. There was also a rise in the share of primary elections that were contested.<sup>8</sup>

## *Partisan Gerrymandering and Electoral Competition*

One factor that contributed to reduced electoral competition in Pennsylvania in the last two decades is “gerrymandering” — the redrawing of legislative district lines to create and maintain a partisan advantage. Earlier this year, the Pennsylvania Supreme Court ruled that the 2011 Pennsylvania congressional districts “clearly, plainly, and palpably violate[d] the Constitution of the Commonwealth of Pennsylvania.” This could occur because the state legislature had the authority to redraw congressional district lines after the 2010 U.S. Census via a simple bill in the Pennsylvania legislature. At the time of redistricting, the governor, and the Senate and House majorities were all Republican. The new districts drawn after the 2010 U.S. Census concentrated (“packed”) Democrats into five congressional districts with a large majority of Democrats and then divided up (“cracked”) the remaining Democrats across 13 districts that were difficult for a Democrat to win.

Reflecting the gerrymander, in the last three congressional elections Republicans won 13 out of 18 Pennsylvania congressional seats even while the aggregate vote for Republican candidates across all 18 districts was only just above 50%.<sup>9</sup> Academic estimates of the “efficiency gap” — the number of Democratic votes “wasted” relative to Republican votes wasted — also show a substantial increase in gerrymandering with the 2011 congressional districts.

State House and Senate districts were redrawn by a “Legislative Reapportionment Commission,” consisting of the four caucus floor leaders and Republican chairman Stephen J. McEwan Jr., appointed by the Pennsylvania Supreme Court.<sup>10</sup> Since 2010, Republicans have won 61% of state Senate seats with an aggregate of 52% of the vote and 58% of state House seats with an aggregate of 51% of the vote.

“Efficiency gap” estimates also indicate some degree of gerrymandering in the state Senate seats and less evidence of that in state House seats.

### *Political Participation*

For ordinary citizens, voting is the most common way of participating in the political process. In Pennsylvania, voter turnout declined steadily from the 1960s to the 1990s before rebounding in presidential election years since 1996 but not in gubernatorial election years.

- Turnout was 70% in the 1960 Kennedy-Nixon election but dipped below 50% in the 1996 Clinton-Dole race. Turnout in presidential election years has recovered to about 60% in the five most recent presidential election years.
- Turnout in gubernatorial election years started lower, just above 60% in 1962, but fell to just 35% of registered voters in 2014.

Based on American National Election Studies data (conducted from the 1950s to 2012), affluent people (in the top 5% for income) are more likely than middle- and lower-income people to vote, seek to influence others to vote, and, by margins of two-to-one or three-to-one, donate to a candidate’s campaign, work for a campaign, etc.

### *Confidence in Government*

National survey data also show that confidence in government declined steadily from 1964 and 1980 — and has never recovered.

- For example, two-thirds of Americans thought “government is run for the benefit of all the people” in 1964, whereas 80% now (in 2012) think it is “run by a few big interests.”
- The erosion of confidence in government holds up across all income groups with the partial exception of the top 5%. (The survey does not have a big enough sample of the top 1% to report that separately.)

In Pennsylvania, a recent Franklin and Marshall poll found overwhelming (77%) support for changing the way campaigns are financed and two-thirds support (64%) for changing the way state legislative districts are created. Citizens know that their lawmakers are not responsive to them and that two of the reasons are money in politics and gerrymandering.

### *Closing Pennsylvania’s Democracy Gap*

A striking disjuncture exists in Pennsylvania between the priorities of the people of Pennsylvania and the priorities and actions of our current state legislature.

As shown by a recent poll for the “We the People Pennsylvania” campaign, Pennsylvanians overwhelmingly support a higher state minimum wage, a severance tax on natural gas, more funding for our schools, free college tuition, a tax system under which corporations and the 1% pay their fair share, and legislative districts drawn by a truly independent commission.<sup>11</sup>

Under the current legislative leadership, however, Pennsylvania:

- is the only state in the region without a minimum wage above the miserly federal \$7.25 per hour;
- is the only major natural gas-producing state without a severance tax that requires companies to pay more based on the amount of gas they extract;
- has only grudgingly restored nominal K-12 school funding after the devastating 2011 cuts;
- so underfunds our colleges that Pennsylvania ranks dead last for higher education according to *U.S. News and World Report*, sunk by a combination of high tuition and mushrooming student debt;
- refuses to close corporate tax loopholes that allow big corporations to pay little or nothing, which means smaller businesses and individuals must pay more;
- and continues to try to retain legislative control over the redistricting process.

The argument of this report is that the disjuncture between what the people want and what the people get results from our state's deep "democracy deficit." To bring the policies above in line with the people's priorities, we the people of Pennsylvania are going to have to close the state's democracy deficit.

The end of this report highlights four ways to do that.

- **Improve voter turnout by making it easier to vote** – Simple reforms are already working in other states such as automatic voter registration when citizens turn 18 and no-fault absentee balloting.
- **Reduce the influence of money in politics** – Cap the amount of money individuals and corporations can donate to PACs and pursue publicly financed elections with voluntary spending limits.
- **Increase electoral competition by ending gerrymandering** – Create a truly nonpartisan redistricting committee to end anti-democratic practices that allow politicians to amass shares of legislative seats and partisan political power that far outstrip their actual support among the people — deep and grievous violations of the basic democratic principle of "one person-one vote."
- **Resist policies that would further entrench an undemocratic political system** – Examples of such policies are Voter ID, automatic removal of people from the rolls of people who haven't voted recently, and restrictions on voting by the formerly incarcerated who have paid their debt to society.

Pennsylvania was the birthplace of American democracy. Our founders crafted the Declaration of Independence and the Constitution in Philadelphia. The Battle of Gettysburg helped turn the tide of the Civil War and preserve the union so that "government of the people, by the people, for the people shall not perish from this earth."

Beginning this year, 2018, the time has come for the people of Pennsylvania to embrace their shared heritage by restoring our state's democracy. That is the only way we can achieve an economy and a democracy that work for all.



## Political Democracy and Economic Inequality

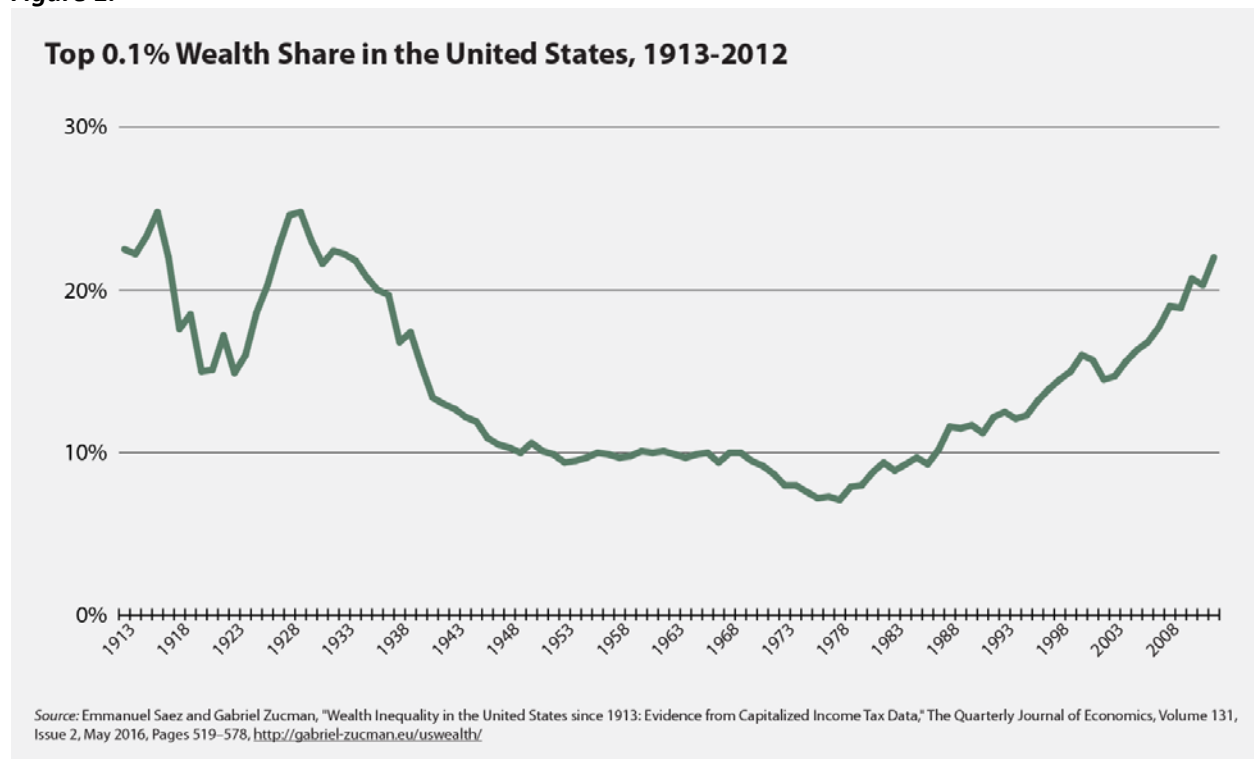
By definition, democracy means “rule by the people.” In recent decades, however, Pennsylvanians have grown frustrated, questioning whether “the people” really do govern our political system. Many citizens fear that our politics, as well as our economy, are rigged against typical families. They perceive a political system in which some voices, such as corporations and wealthy donors, have megaphones and that “one-dollar, one-vote” more accurately describes our political system than “one-person, one-vote.”

To assess the health of Pennsylvania’s democracy on this Independence Day holiday, we first examine trends in wealth inequality and their potential impact on our democracy. We then examine four key indicators of democracy: money in politics; electoral competition; voter participation; and voter attitudes.

“Wealth” is the dollar value of what a person or family owns (e.g., houses, stocks, and bonds) minus what it owes (e.g. mortgages, car or student loans, credit card debts.) Wealth is the best measure of Americans’ ability to spend money in the political process. Whether accumulated over many years or inherited, wealth allows individuals such as Mitt Romney, Tom Wolf, or Scott Wagner to finance their own political careers. More commonly, great wealth gives people the economic security to make large contributions to the political campaigns of others, to political actions committees, or to organizations that make independent expenditures in the context of elections.

Now is a time when Americans should be especially concerned about economically based inequality of political influence. Measured by the share of all wealth held by the wealthiest 1%, U.S. wealth inequality in the United States peaked in 1928, when the top 1% had more than half (51.4%) of U.S. wealth.<sup>12</sup> The top 1% wealth share then fell to 22.6% by 1978 before recovering to 41.8% in 2012. Most of the 18-percentage-point increase in the top 1% wealth share since 1978 has accrued to just the top one-tenth of one percent. This 0.1% — one out of every 1,000 Americans — now has about the same total wealth as the bottom 90%. Every member of the top 0.1% has at least \$20.6 million in wealth and some are worth many billions.<sup>13</sup> Wealth inequality grew during the last two decades in part because of rising income inequality.<sup>14</sup>

**Figure 1.**



Because the United States and Pennsylvania have never eliminated the influence of wealth on politics, a rising concentration of wealth enables the wealthy to buy more political influence. At the same time, a less democratic political system may have contributed to economic inequality. If the less well-off lack the same opportunity to influence government that the wealthy have, the less well-off may perceive that no one in the political system speaks for them. They may become more alienated from politics with the result that the wealthy make up a higher share of voters, attend political meetings, or participate in politics in other ways.

It is difficult to sort out the precise connections between economic inequality and inequality of political influence based on economic gaps. Increases in economic inequality may have caused an increase in inequality of political influence. An increase in inequality of political influence may have been the cause of the rise in economic inequality that began at the end of the 1970s. Or both may have happened, creating a vicious circle of more economic inequality and less political democracy. The important point is that a high level of economic inequality and a low level of political democracy may go together.

This point is not new. When America’s political system was designed in the late 18th century, wealth inequality was at its lowest. The top 1% held about 15% of America’s wealth in 1774 compared to about 40% today. Founders and observers of American democracy in the late 18th and early 19th centuries suggested that a low-level inequality was necessary to the preservation of democracy. Thomas Jefferson’s vision was profoundly circumscribed by race and gender. Among white men, however, he favored as many as possible owning at least a little land and worried that the rise of manufacturing would lead to inequality and threaten “yeoman democracy.”<sup>15</sup> Based on his travels in the United States in the 1930s, Alexis de Tocqueville suggested that equality breeds political democracy:

“The principle of equality, which makes men independent of each other, gives them a habit and a taste for following in their own private actions no guide other than their own will. This complete independence, which they constantly enjoy in regard to their equals and in the intercourse of private life, tends to make them look up all authority with a jealous eye and speedily suggests to them the notion and the love of political freedom. Men living at such times have a natural bias towards free institutions. Take any one of them...and you will find that, of all governments, he will soonest conceive and most highly value that government whose head he has himself elected and whose administration he may control.”<sup>16</sup>

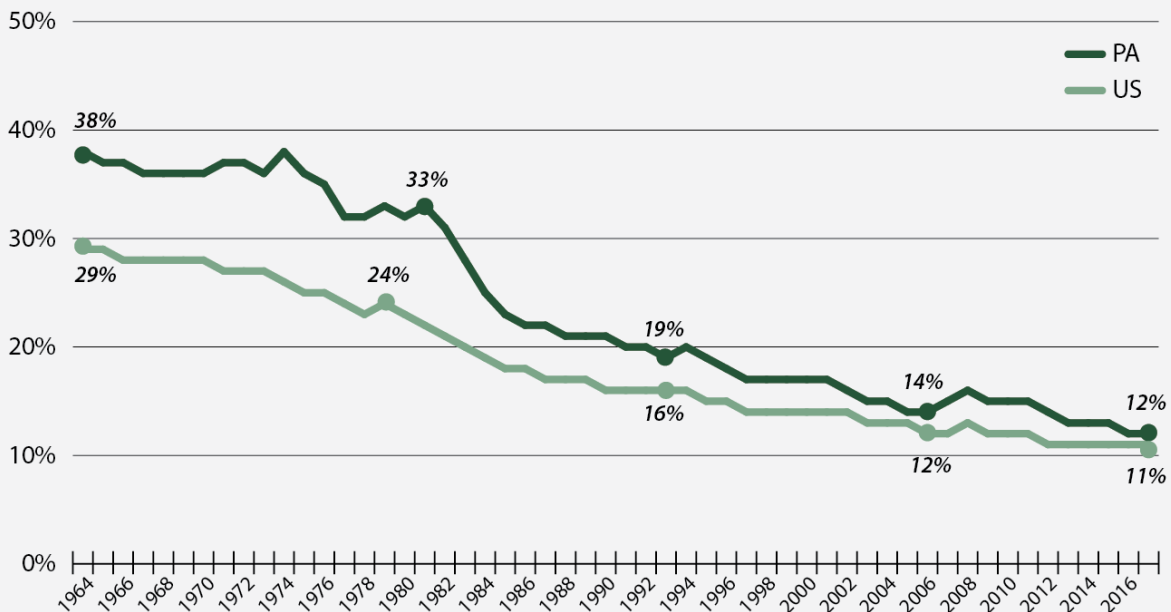
Under our current political system, unfortunately, economic inequality and political inequality all too often go hand in hand. The political power of the wealthy outweighs, and is seen to outweigh, the will of the average citizen. Based on extensive statistical analysis, Princeton political scientist Martin Gilens concluded that “under most circumstances, the preferences of the vast majority of Americans appears to have essentially no impact on which policies the government does or doesn’t adopt,” and “patterns of responsiveness...often correspond more closely to a plutocracy than to a democracy.”<sup>17</sup>

One other trend that has contributed to both economic inequality and inequality in political influence has been the decline of labor unions. Figure 2 shows that labor unions now represent only about 12% of the Pennsylvania workforce compared to 38% in 1964 (and more than that in the mid-1950s).<sup>18</sup> We show below that unions, the voice of working people in public policy, are now widely outgunned by business when it comes to campaign contributions and lobbying expenditures.

**Figure 2.**

**Union Membership Rates, 1964-2017**

Union members as percent of non-agricultural wage and salary employees



*Note:* Estimates are based on the 1983-2017 Current Population Survey (CPS) Outgoing Rotation Group (ORG) earnings files and the 1977-81 May CPS earnings files.  
*Source:* Barry T. Hirsch, David A. Macpherson, and Wayne G. Vroman, “Estimates of Union Density by State,” *Monthly Labor Review*, Vol. 124, No. 7, July 2001, pp. 51-55; data for additional years available online ([www.unionstats.com](http://www.unionstats.com))

## Money and Politics

Money plays a major role in the political process throughout the United States, but more so in Pennsylvania than in most other states.

### *Election Campaign Contributions*

The weakness of national and legal limits on campaign contributions and spending has left the door open to steady increases in the cost of running and winning political office.

- The Supreme Court of the United States (SCOTUS) has ruled it unconstitutional for the federal or state government to restrict campaign expenditures made by candidates, individuals, or political action committees (PACs). Governments may limit contributions to candidates' campaigns.<sup>19</sup>
- Federal law prohibits corporations, labor unions, federal contractors, and foreign nationals from making contributions to candidates in federal elections; restricts the amount of money that candidates, national party committees, and PACs may contribute to candidates in federal elections; and limits PACs' contributions to candidates and to national and state party committees. But these contribution limits are relatively weak. For example, an individual may give a candidate \$2,700 and may give \$5,000 to a PAC.<sup>20</sup>
- Most state laws limiting campaign contributions are weaker than federal law, and Pennsylvania has one of the weakest laws. Pennsylvania imposes no limits on individual or PAC campaign contributions and does not limit the amount that individuals and corporations may give to PACs. Corporations and unions are not allowed to contribute directly to campaigns, but since they may give unlimited amounts to PACs, the ban on direct contributions has no real impact.<sup>21</sup>
- In contrast to Pennsylvania, all the surrounding states limit individual and PAC campaign contributions. Besides Pennsylvania, only 10 other states allow unlimited individual, PAC, and state party contributions to campaigns.<sup>22</sup>

In the absence of strong campaign finance laws, the average amount of money contributed in federal and state election campaigns has increased steadily over time. In the 2016 election cycle, the average winning U.S. Senate candidate spent \$10.4 million through October 19 before the election.<sup>23</sup> The average winning U.S. House candidate spent \$1.3 million. Pennsylvania Senator Pat Toomey spent \$28.6 million in 2016, more than any other congressional candidate. His race against Democratic challenger Katie McGinty also brought the largest total campaign plus outside spending, \$164 million, making it the single most expensive Senate race in 2016.<sup>24</sup>

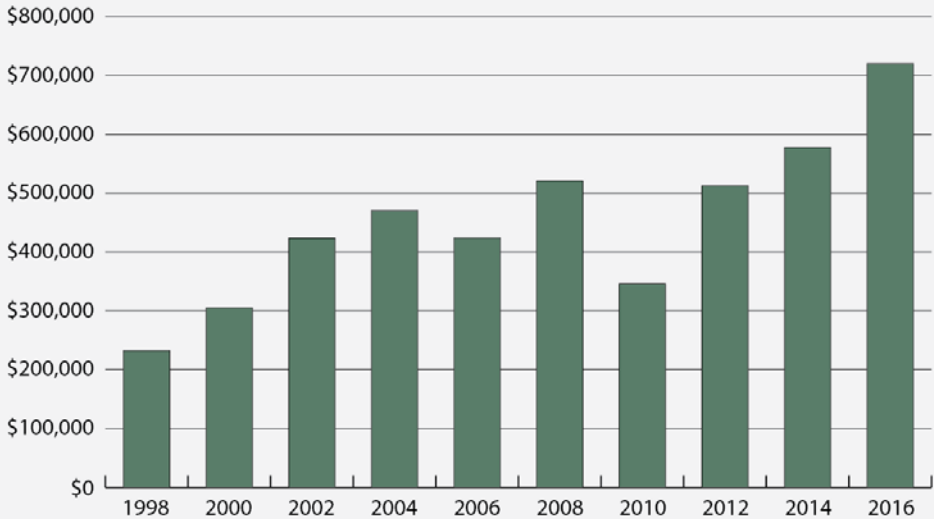
At the state level, too, running for public office can be extremely expensive.

- In 1998, in Pennsylvania state Senate races:
  - Total campaign contributions per candidate averaged \$232,604 (all figures here in 2017 dollars) (Figure 3).
  - The proportion of contributions coming from "non-individuals" (essentially PACs in Pennsylvania) equaled about 44% (Figure 4).<sup>25</sup>

- By 2016, in Pennsylvania state Senate races:
  - Total campaign contributions per candidate more than tripled, to \$720,204.
  - The proportion of contributions coming from PACs rose to 70%.

Figure 3.

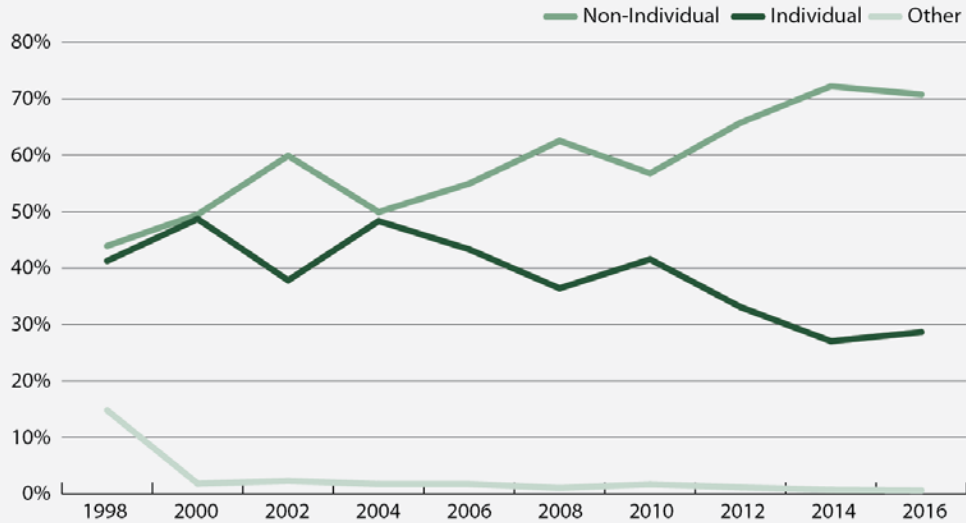
Average Campaign Contributions Per PA Senate Candidate, 1998-2016



Note: Inflation-adjusted (2017 dollars) using the CPI Research Series Using Current Methods (CPI-U-RS).  
Source: Keystone Research Center analysis of data available at [www.followthemoney.org](http://www.followthemoney.org).

Figure 4.

Direct Contributions to PA Senate Candidate by Type of Contributor, 1998-2016  
As percent of total contribution



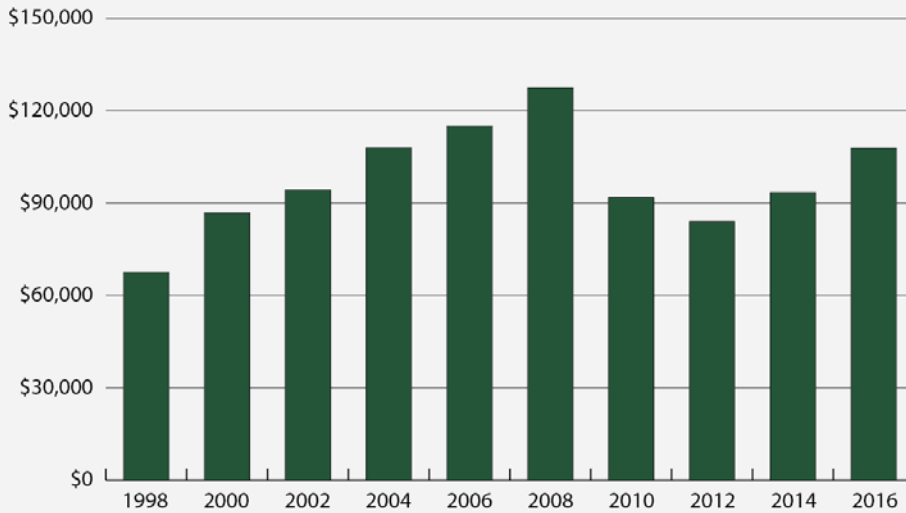
Note: Follow the Money describes an "individual contributor" as "an actual human being" and a "non-individual" as "corporation and/or its political action committee(s), political party, union, association, or ideological group." "Other" includes uncategorized, unidentified, or anonymous contributions and public funding.  
Source: Keystone Research Center analysis of data available at [www.followthemoney.org](http://www.followthemoney.org).

A similar picture emerges with Pennsylvania state House candidates (Figures 5 and 6).

- In 1998, total campaign contributions per candidate averaged \$67,533 (in 2017 dollars), with 42% coming from PACs.
- By 2016, total campaign contributions per candidate rose 40%, to \$107,823, with 71% coming from PACs.

**Figure 5.**

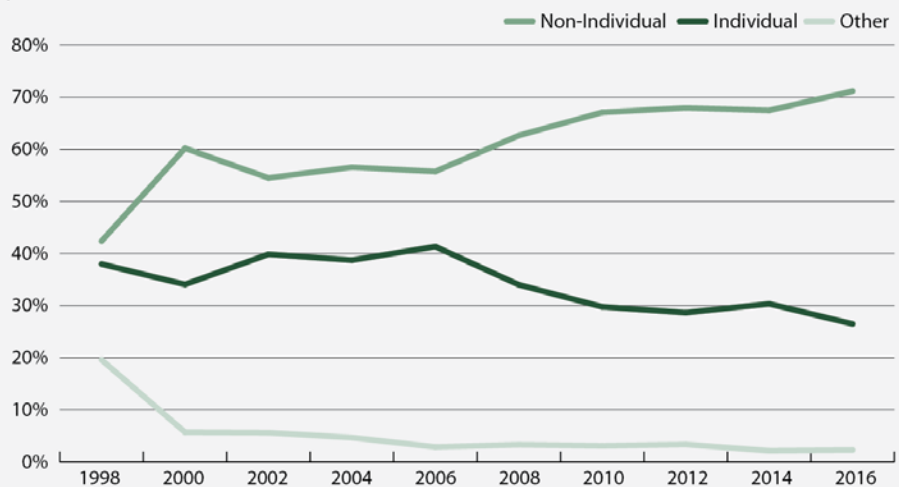
**Average Campaign Contributions Per PA House Candidate, 1998-2016**



Note: Inflation-adjusted (2017 dollars) using the CPI Research Series Using Current Methods (CPI-U-RS).  
 Source: Keystone Research Center analysis of data available at [www.followthemoney.org](http://www.followthemoney.org).

**Figure 6.**

**Direct Contributions to PA House Candidate by Type of Contributor, 1998-2016**  
 As percent of total contribution



Note: Follow the Money describes an "individual contributor" as "an actual human being" and a "non-individual" as "corporation and/or its political action committee(s), political party, union, association, or ideological group." Other includes uncategorized, unidentified, or anonymous contributions and public funding.  
 Source: Keystone Research Center analysis of data available at [www.followthemoney.org](http://www.followthemoney.org).

Table 1 shows trends in campaign contributions in congressional races (U.S. House and U.S. Senate) races since 2010 (not adjusted for inflation). Contributions to Democratic House candidates plunged after the redrawing of congressional districts in 2010. In the last two cycles Democratic U.S. House candidates in Pennsylvania received well under half what they did in 2010, even before adjusting for inflation. Contributions to Republican U.S. candidates surged in 2012, the cycle during which Republicans first took advantage of gerrymandering (see below). Since 2012, contributions to Republican House candidates have dropped off, reflecting that many of the 13 districts held by congressional Republicans are now safe seats. Table 2 shows the U.S. House and U.S. Senate candidates who have received a total of \$10 million or more in campaign contributions in the 2010-2016 period.

**Table 1. Campaign Contributions of Pennsylvania Candidates for U.S. House and Senate, 2010-2016, by Party**

		U.S. Senate		U.S. House		U.S. Senate & U.S. House	
	Year	Contributions (nominal millions)	% of 2-Party Total	Contributions (nominal millions)	% of 2-Party Total	Contributions (nominal millions)	Share of Total for Cycle
Republican	2010	\$20	44%	\$29	51%	\$49	48%
Democratic	2010	\$25	56%	\$28	49%	\$53	52%
Republican	2012	\$3	17%	\$44	72%	\$47	60%
Democratic	2012	\$15	83%	\$17	28%	\$31	40%
Republican	2014			\$23	68%	\$23	68%
Democratic	2014			\$11	32%	\$11	32%
Republican	2016	\$31	58%	\$25	67%	\$55	62%
Democratic	2016	\$22	42%	\$12	33%	\$34	38%
Republican	Total	\$53	100%	\$121	100%	\$174	57%
Democratic	Total	\$61	115%	\$68	56%	\$129	43%
<b>All Parties 2010-2016</b>		<b>\$115</b>		<b>\$189</b>		<b>\$304</b>	<b>100%</b>

Source: Data provided by the National Institute on Money in Politics

**Table 2. \$10 Million Candidates – Pennsylvania Candidates for U.S. House and Senate with at Least \$10 Million in Campaign Contributions, 2010-16**

Candidate	Party	Election Year (s)	Office Sought	Contributions (millions)
Patrick Toomey	Republican	2010 and 2016	U.S. Senate	\$49.6
Thomas J. Smith	Republican	2012	U.S. Senate	\$21.8
Joseph A. Sestak, Jr.	Democratic	2010 and 2016	U.S. Senate	\$17.6
Kathleen McGinty	Democratic	2016	U.S. Senate	\$16.6
Robert P. Casey, Jr.	Democratic	2012	U.S. Senate	\$14.6
Arlen Specter	Democratic	2010	U.S. Senate	\$11.6
Bill Shuster	Republican	2010, 2012, 2014, 2016	U.S. House 9	\$10.6
Patrick L. Meehan	Republican	2010, 2012, 2014, 2017	U.S. House 7	\$10.1
Michael G. Fitzpatrick	Republican	2010, 2012, 2014, 2016	U.S. House 8	\$10.0
<b>All Nine Candidates</b>				<b>\$162.5</b>

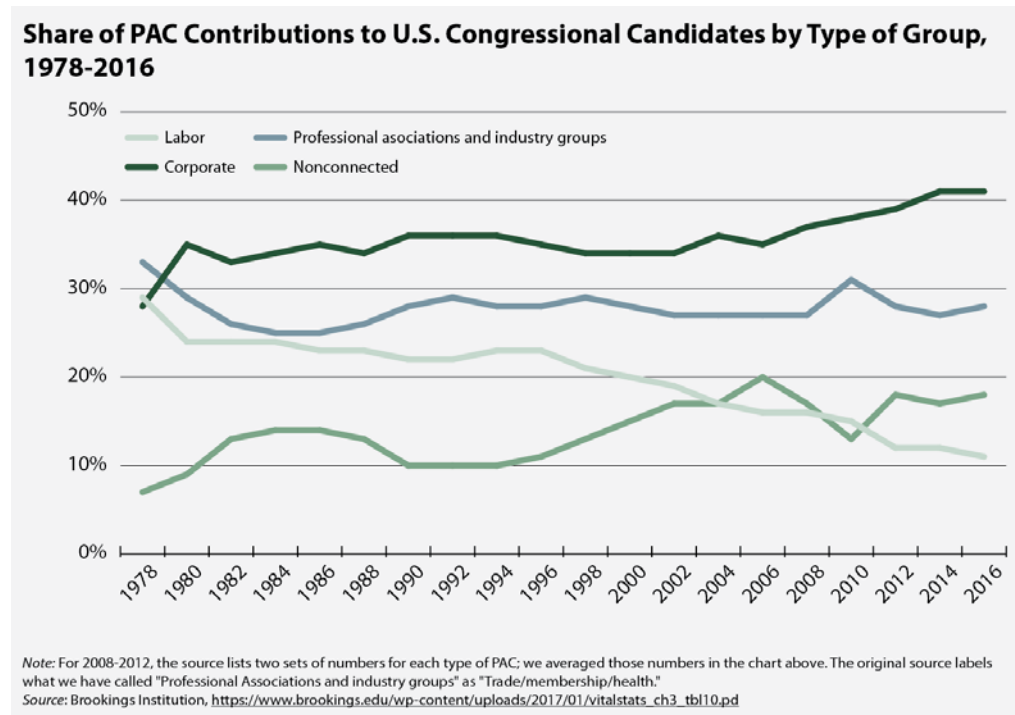
Source: Data provided by the National Institute on Money in Politics.

Specific industries seek to shape policies that impact their members through both political contributions and lobbying (discussed below). The political contributions of the natural gas industry, including to Governor Corbett, Senate president Joe Scarnati, and House speaker Mike Turzai, have been well documented. From 2007 to the present, the natural gas industry has contributed over \$10 million to Pennsylvania political candidates.<sup>26</sup> It has also spent \$67.8 million lobbying against regulations, a severance tax, community safety, and clean energy incentives. In this same period, the natural gas industry gave campaign contributions of \$3.1 million to just these three Pennsylvania politicians:

- Former Governor Corbett - \$2,182,491
- PA Senate president Joe Scarnati - \$490,220
- PA House speaker Mike Turzai - \$371,300

Nationally, labor political action committee (PAC) contributions have declined relative to corporate. In 1978, labor PACs contributed more to congressional candidates than corporate PACs. By 2016, corporate PACs contributed 3.91 times as much (Figure 7), according to the Brookings Institution. The

**Figure 7.**

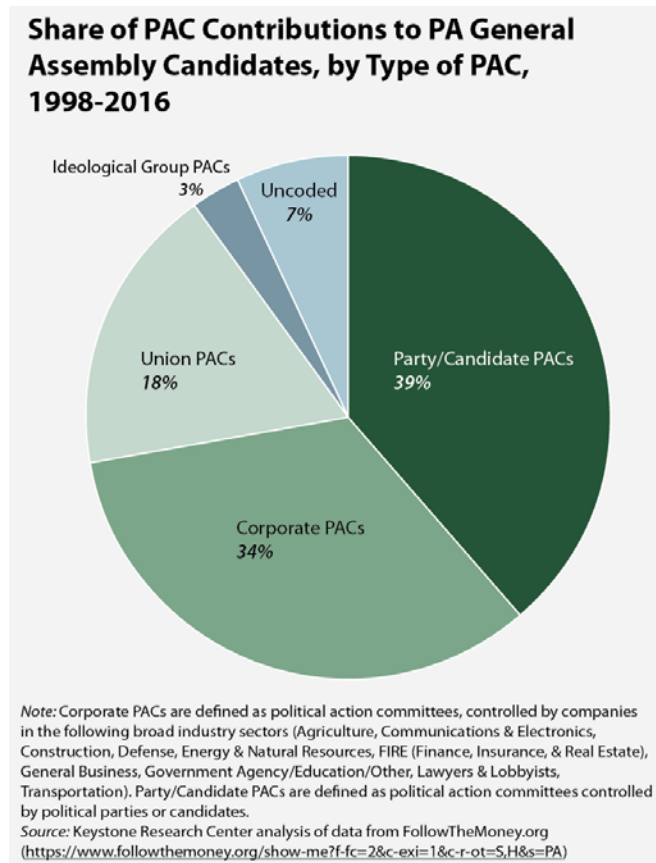


Center for Responsive Politics (CRP) puts the ratio of business to labor PAC contributions nationally even higher, at 7:1.<sup>27</sup> Using a broader definition of “business” that includes individual as well as PAC contribution, CRP puts the ratio of business to labor campaign contributions in federal races at 17:1.<sup>28</sup> In Pennsylvania, there is no clear trend in labor vs. corporate contributions since the late 1970s. (Figure 8).



While it will not directly impact PAC contributions (which cannot come from union dues or “fair share” payments from nonmembers), the *Janus v. AFSCME* decision announced by the U.S. Supreme Court June 27, 2018 could significantly reduce the voice of labor unions in public policy. The court decided 5-4 to reverse a longstanding precedent that public sector workers represented by a union who are not members can be required to pay a “fair share” towards the union’s costs of that representation. Justice Neil Gorsuch, sitting in the seat Senate Republicans refused to fill while President Obama was in office, voted with the majority. In effect, the *Janus* decision makes the public sector nationally “right to work (for less)” with the stroke of a pen. The decision directly reduces labor union resources available to fight for policy priorities that benefit working families generally (such as a higher minimum wage, adequate and equitable education funding, Medicaid and other health care for all, and Social Security).

**Figure 8.**



### *Independent Expenditures – “Dark Money”*

Direct contributions are not the only way in which the wealthy and groups with financial resources can influence our elections. In the 2010 *Citizens United* case, in a 5-4 decision the U.S. Supreme Court declared unconstitutional the government restriction on independent political spending for the election or defeat of a specific candidate as long as that spending is not coordinated with or at the suggestion of candidates, their committee, or their political party.<sup>29</sup> Such “independent expenditures” are sometimes referred to as “dark money.”<sup>30</sup>

“Independent-expenditure-only PACs,” also known as “super PACs,” can accept unlimited contributions from the wealthy, corporations, ideological groups, etc.<sup>31</sup> These PACs most commonly utilize their money and resources to mobilize voters in support of their preferred candidates and policies by funding canvassing campaigns; buying TV, radio, or internet ads; and sending political flyers in the mail.

Many states have established “disclosure” requirements for super PACs. In a 2014 report, the National Institute on Money in State Politics gave Pennsylvania’s disclosure requirements for independent expenditures an “F.”<sup>32</sup> This failing grade was caused by the fact that Pennsylvania law does not adequately define what counts as “electioneering communications” and so fails to ensure that such expenditures are adequately disclosed.

As one gauge of the scale of independent expenditures in Pennsylvania, we compared the total of all direct campaign contributions in state House and state Senate races in 2016 with the independent expenditures reported to the state that year. The campaign contributions (\$75.4 million) are 54 times larger than the \$1.4 million in independent expenditures. The low total for independent expenditures could reflect that (a) the reporting in Pennsylvania does not work; (b) some independent-expenditure organizations play in federal as well as state races but report at the federal level; and/or (c) the lack of caps on individual and PAC campaign contributions for state-level races in Pennsylvania reduces the need for and amount of independent spending.

Independent expenditures reported at the federal level (for the entire country) have exploded since the Citizens United decision.<sup>33</sup> Adding up expenditures in three categories of “outside spending” — “independent expenditures” (now almost all the spending in all three categories), “electioneering communications,” and “communications costs” — outside spending went from \$68.9 million in the 2008 presidential election cycle to \$442.4 million in the 2016 cycle. In the non-presidential cycle, spending was \$5.5 million in 2006 and \$167.2 million in the current cycle through the first half of the year — 30 times higher than in 2006 and counting. As spending has mushroomed, the ideological tilt of the spending has shifted to the right. In 2008, “liberal” outside spending reported federally was 76% higher than “conservative.” In the first half of this year, “conservative” is 70% higher than “liberal.” Table 3 shows independent expenditures on U.S. House and Senate races in Pennsylvania from 2010 to 2016. What stands out is the stunning level of spending on the 2016 Toomey-McGinty-Sestak U.S. Senate race.

<b>Table 3: Independent Expenditures Targeted at U.S. House and U.S. Senate Races in Pennsylvania, 2010-2016 (\$ millions)</b>	
<b>Year</b>	<b>Total Expenditures</b>
<b>U.S. House Races</b>	
2010	\$22.6
2012	\$12.4
2014	\$2.5
2016	\$11.5
<b>Total</b>	<b>\$49.0</b>
<b>U.S. Senate Races</b>	
2010	\$24.3
2012	\$4.3
2016	\$114.9
<b>Total</b>	<b>\$143.5</b>

*Source: Data provided by the National Institute on Money in Politics.*

## Lobbying

Besides campaign contributions, money affects the political process through lobbying. Lobbying in and of itself – which, on most definitions includes unpaid citizens donating time to express their views – isn’t inherently bad. Lobbying in general educates staff and lawmakers on issues, giving them information that can improve decision-making. Problems emerge only when lobbying by corporations and donors overwhelms that by ordinary citizens or people who speak for ordinary citizens or the vulnerable.

Corporate- and donor-dominated lobbying (and campaign contributions) can lead to policies such as the federal tax law passed earlier this year, which overwhelmingly benefits corporations and the 1%.<sup>34</sup>

Lobbying expenditures include money spent on public officials (e.g., for gifts, hospitality, transportation and lodging), and the cost of the labor and other expenses for the time and activities of the lobbyists. Although Pennsylvania lobbying disclosure laws improved with the passage of a 2007 disclosure law, the Sunlight Foundation still gives the state a C for lobbying disclosure, tied for 30<sup>th</sup> with four other states.<sup>35</sup> (A lobbying reform signed by Gov. Wolf on Valentine's Day 2018 increased penalties for failure to comply with lobbying disclosure; but based on the criteria in the Sunlight evaluation, the new law probably won't change Pennsylvania's grade much.<sup>36</sup>)

Questions remain about compliance with reporting requirements – before and after the new bill. Questions also remain about the consistency of reporting by different lobbyists and lobbying firms. No data are currently available online that allow confident statements about the scale of lobbying and how it has changed over time. Given the lack of comprehensive, reliable data, some of the best (and only) sources of information on lobbying of the state government in Pennsylvania come from non-profit groups or newspapers that invest time and effort to piece together meaningful information based on hard-copy reports to the Department of State.

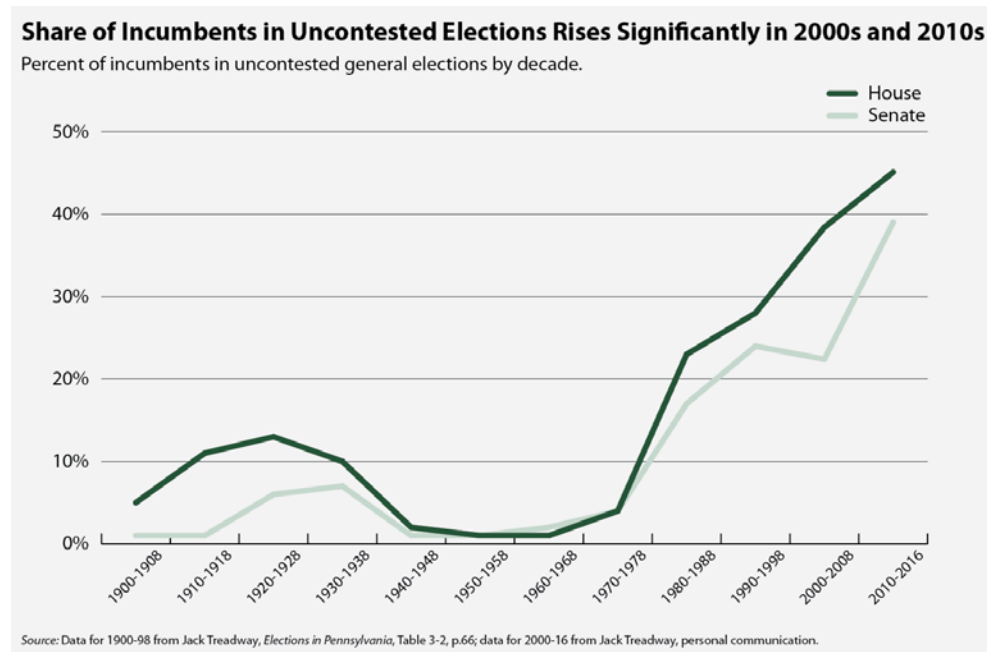
The Pennsylvania Department of State annual report on lobbying disclosure for 2015 (the 2016 report is not yet online) indicates that total lobbying expenditures were \$533.8 million in 2015.<sup>37</sup> Healthcare (\$28.4 million) topped the list of categories (industries or issues) for lobbying expenditures, followed by “state budget” (\$25.9), “taxation” (\$24.2), the energy industry (\$23.3 million); and education (\$18.4 million). Over a longer period, from 2007 to 2017, the natural gas industry spent \$67.8 million lobbying against regulations, a severance tax, community safety, and clean energy incentives.<sup>38</sup> According to the Harrisburg *Patriot-News*, there were 1,160 lobbyists in Harrisburg in 2015, about 4.5 for each of the 253 state House and Senate members.<sup>39</sup>

At the federal level, according to Center for Responsive Politics, business groups from 2008 through the first quarter of 2018 spent \$29.5 billion on federal lobbying, 63 times more than the \$472 million spent by labor groups.<sup>40</sup>

## Electoral Competition

State legislative elections in Pennsylvania in recent years often fail to give voters any meaningful choice because there is only one candidate. In earlier decades, Pennsylvania voters in most state legislative races did have a choice. In the first eight decades of the 20<sup>th</sup> century, over 85% of State House races and over 90% of State Senate races faced opponents in the general election (Figure 9). Starting in the 1980s, the share with uncontested elections rose rapidly, to the point that four of 10 Pennsylvania State Senate candidates and nearly half of State House candidates faced no opponent in the general elections of 2010-2016

**Figure 9.**



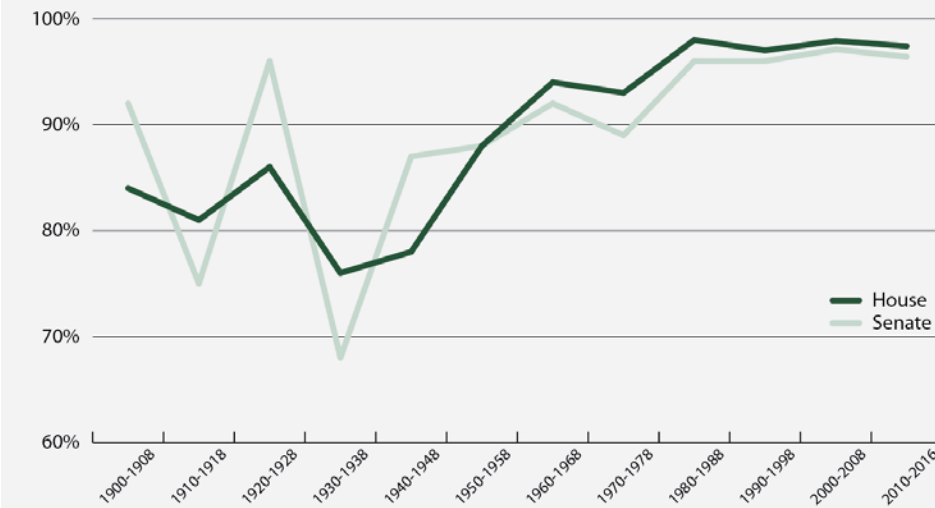
Primary elections also have low amounts of electoral competition in Pennsylvania. In 2016, 91.7% of state legislative races had an incumbent and 86.1% of those incumbents ran unopposed in their party’s primary.<sup>41</sup> Both figures are about 10 percentage points higher than national averages for state legislatures.

Low electoral competition goes along with high success rates for incumbents. In the first half of the 20<sup>th</sup> century, particularly in the 1910s and the 1930s, incumbents lost their re-election bids with some regularity (Figure 10). In the 1930s, the decade of the Great Depression and the New Deal, one third of state Senate incumbents lost on average. Since the 1970s, fewer than one in 20 incumbents lose state House or Senate races in Pennsylvania. Over the past nearly 40 years, four out of five Pennsylvania state legislative incumbents won their races by big margins – with at least 60% of the vote.

**Figure 10.**

**Over 95% of Incumbents Win Reelection Since 1980**

Percent of incumbents winning reelection by decade.

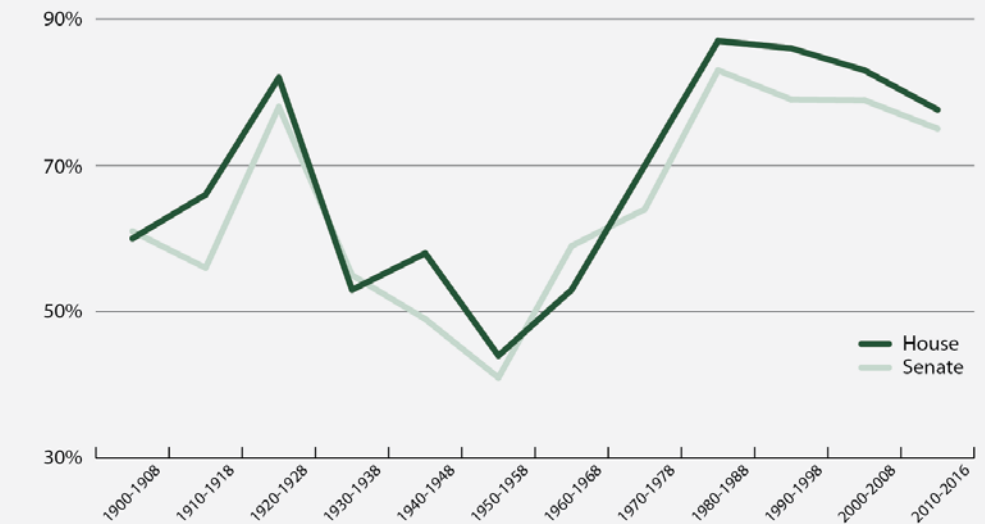


Source: Data for 1900-98 from Jack Treadway, *Elections in Pennsylvania*, Table 3-2, p.66; data for 2000-16 from Jack Treadway, personal communication.

**Figure 11.**

**About 80% of Incumbents in Safe Seats in 2000s and 2010s**

Percent of incumbents in safe seats by decade (in safe seats the winning candidate obtains at least 60% of the vote).



Source: Data for 1900-98 from Jack Treadway, *Elections in Pennsylvania*, Table 3-2, p.66; data for 2000-16 from Jack Treadway, personal communication.

In the 2018 primary elections, electoral competition increased based on several measures (Table 4).<sup>42</sup>

- The number of candidates in the 228 state legislative races (25 Senate and 203 House) jumped by 97, about 25% more than the low 2016 number and 16% more than in 2014. This increase likely stems in part from the so-called “resistance movement,” the rise of local citizen groups after the 2016 election of President Trump.

- There was also a recovery of the share of contested primary elections, again from a low 2016 number, albeit only to 15.6%.

**Table 4: Hints of a Revitalization of Democracy in Pennsylvania: the 2018 Primaries**

Year	Total seats	Open seats	Total candidates	Democratic primaries contested	Republican primaries contested	Total contested	Incumbents contested in primaries	Total incumbents contested in primaries
2018	228	32	489	47	24	15.6%	27	13.8%
2016	228	19	392	30	21	11.2%	29	13.9%
2014	228	26	421	40	29	15.1%	42	20.8%

Source: [https://ballotpedia.org/2018\\_primary\\_election\\_competitiveness\\_in\\_state\\_and\\_federal\\_government#Pennsylvania](https://ballotpedia.org/2018_primary_election_competitiveness_in_state_and_federal_government#Pennsylvania)

One factor that was likely a cause and a consequence of the higher number of primary candidates was the rise in the number of open seats from 19 to 32. Some incumbent legislators may have retired because of the increasingly polarized nature of Harrisburg politics in the last two legislative sessions. Others may have retired rather than face a competitive primary.

The long-term decline in the competitiveness of Pennsylvania’s elections reflects a variety of factors. One is the steady rise in how much money it takes to run for office. Incumbents have inherent advantages in fundraising because of name recognition and a track record of supporting legislation favored by special interest groups or individual donors. Another factor has been increased gerrymandering that deliberately makes many districts non-competitive, the subject of the next section.

### *Partisan Gerrymandering*

In our country’s form of government, legislative district boundaries (the 435 seats in the U.S. House of Representatives and the 203 state House seats and 50 state Senate districts) must be redrawn after every decennial national census to take account of varying rates of population growth and ensure that each district contains the same number of people. As described by the Department of State, Pennsylvania currently redraws its congressional district via “legislative action — in other words, a bill which proceeds through both chambers of the General Assembly and is signed into law by the Governor.”<sup>43</sup> The process for redrawing state legislative districts in Pennsylvania is prescribed in the state constitution in Article 2, Section 16 and 17. After every national census the General Assembly of Pennsylvania must establish a five-member “Legislative Reapportionment Commission,” consisting of “the four caucus floor leaders, or deputies appointed by each of them, and a chairman to be selected by those members or, if they cannot reach agreement, by the Pennsylvania Supreme Court.”<sup>44</sup>

Guided by statute, court decisions, and past practice, the legislature historically sought to create maps with districts that had the same population, were compact, and respected county and municipal boundaries as much as possible. These redistricting principles are evident, for example, in the 1966 congressional map (see Map 1). Under this map, only four counties (Allegheny, Delaware, Montgomery, and Philadelphia), and two cities (Philadelphia and Pittsburgh) were divided. In all three elections in which this map was used (1968, 1970, and 1972), it resulted in the election of 14 Democrats and 13 Republicans.<sup>45</sup>

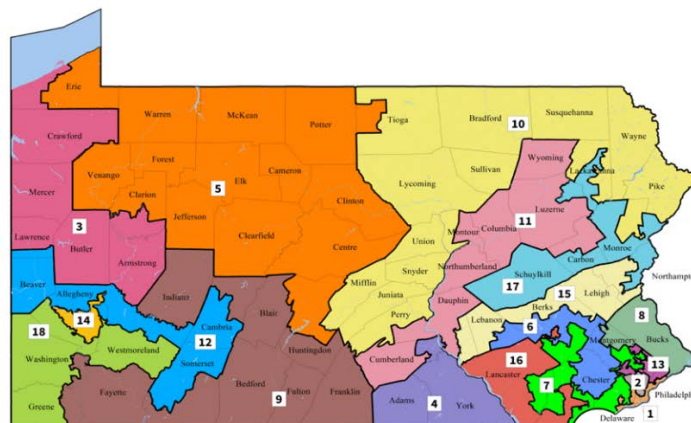
**Map 1 – 1966 PA Congressional Map**



Source: John J. Kennedy, “Report on Pennsylvania’s Congressional Districts,” Expert Report in LWVPA v. The Commonwealth; (<https://www.brennancenter.org/sites/default/files/legal-work/LWV v PA Kennedy Revised Report Final 11.27.2017.pdf>)

Breaking with history, in 2011 when redrawing congressional district lines, “...the legislature carved up counties and municipalities like never before.”<sup>46</sup> The new congressional districts were not compact and did not respect county and municipal boundaries in many cases. In 2011 as in 2001, the governor and the majority party in the Pennsylvania House and Senate were all Republican. Given that redistricting for congressional seats happens through the normal legislative process, the majority party had great freedom to gerrymander congressional districts. As shown in Map 2, the legislature passed a congressional redistricting plan that divided 28 counties and 68 municipalities.

**Map 2 – 2011 PA Congressional Map**



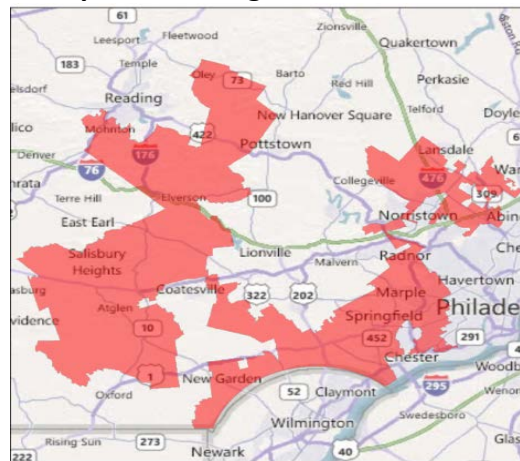
Source: Supreme Court of Pennsylvania, <http://www.pacourts.us/news-and-statistics/cases-of-public-interest/league-of-women-voters-et-al-v-the-commonwealth-of-pennsylvania-et-al-159-mm-2017>

Partisan gerrymandering is accomplished through two basic strategies: “packing” and “cracking.”<sup>47</sup> (1) Packing a district concentrates (i.e., “packs”) voters of one party into a small number of districts so that the party’s candidates win by large margins in those districts. (2) Cracking spreads out the remaining voters of the party (those not in the packed districts) so that they cannot win a majority in any of the remaining districts. Pennsylvania’s 2011 redistricting map utilized both these methods. Pennsylvania’s state Supreme Court determined that it had, “clearly, plainly, and palpably violate[d] the Constitution of the Commonwealth of Pennsylvania.” The art of gerrymandering in recent years has become more of a

science, aided and abetted by sophisticated statistical and computer tools that increase the odds of producing the electoral outcomes desired by those with the power to redraw district lines.

In 2011, one of the most extreme cases of gerrymandering map was Pennsylvania’s 7th District — infamously known as “Goofy kicking Donald Duck.” (see Map 3). The 7th District was split across five counties (Berks, Lancaster, Chester, Delaware, and Montgomery) and accounted for 38.2% of all the municipality splits in Pennsylvania. In some municipalities, PA7 divided municipalities on a street by street basis.

**Map 3 – PA Congressional District 7**



Source: Doron Taussig, Philly.com

The extent of congressional district gerrymandering compared to earlier decades can be seen in the jump in the Republican share of congressional seats in the last three elections without any similar jump in the Republican share of votes across all districts (Table 5 and Figure 12). In those elections, Republicans won 72% of the seats even though they won only 52% of the votes.

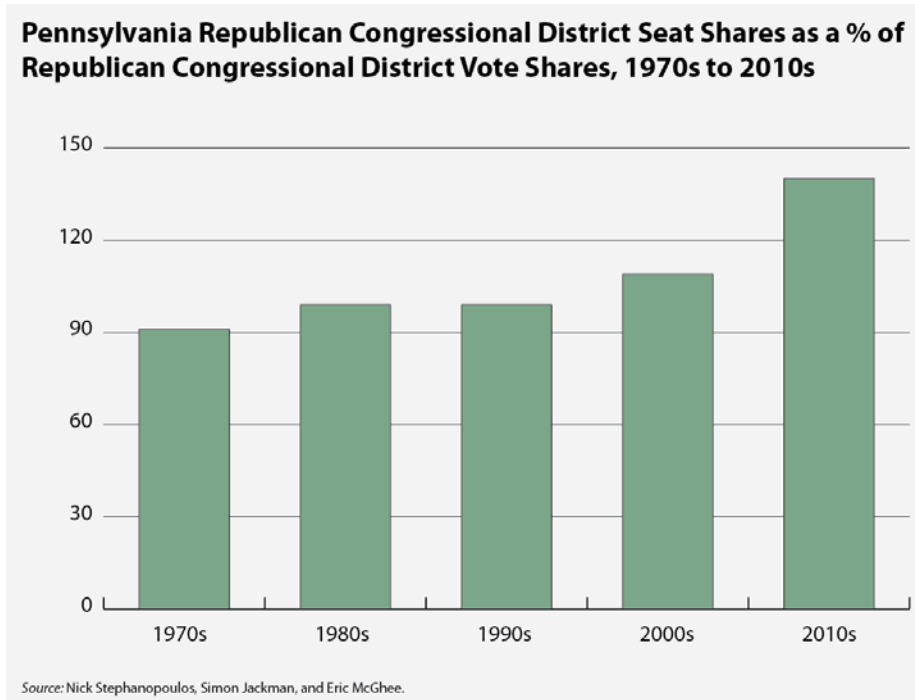
**Table 5. PA Congressional District Vote and Seat Shares by Party, 1970s to 2010s**

Decade	Average Vote Share (%)		Average Share of PA Congressional Seats		Average number of Congressional Seats per Party		Republican Share of Seats as % of Republican Share of Votes
	Democrat	Republican	Democrat	Republican	Democrat	Republican	
1970s	52.7%	47.3%	56.8%	43.2%	14	11	91
1980s	52.3%	47.7%	53.0%	47.0%	12	11	99
1990s	51.0%	49.0%	51.4%	48.6%	11	10	99
2000s	50.9%	49.1%	46.3%	53.7%	9	10	109
2010s	48.4%	51.6%	27.8%	72.2%	5	13	140

Note. Estimates impute vote shares for challengers in districts without a challenger.

Source. Data including vote shares with estimates for districts without challengers provided by Nick Stephanopoulos, Simon Jackman, and Eric McGhee.



**Figure 12.**

Academic political scientists have also developed other ways of measuring the extent of gerrymandering, one of which is called the efficiency gap. Law professor Nicholas Stephanopoulos and researcher Eric McGhee define the efficiency gap as “the difference between the parties’ respective wasted votes, divided by the total number of votes cast in the election.”<sup>48</sup> Wasted votes are defined as the number of votes cast for the winner above 50% and all votes cast for the losing party. Intuitively, the party that controls gerrymandering drives up the number of wasted votes of the other party both by packing, which leads to votes well above 50% in the districts the other party wins, and by cracking, which means that, in most districts, the other party loses and all its votes in those districts are wasted. Figure 13 shows the average efficiency gaps in Pennsylvania congressional districts since the 1970s. The qualitative changes in this measure are the same as shown by the simpler ratio of the Republican seat share divided by the Republican vote share: i.e., there is a hint of gerrymandering in the congressional district efficiency gap estimate in the 2000s, but evidence of dramatic gerrymandering in the much bigger efficiency gap after 2010.

**Figure 13.**

**Based on the “Efficiency Gap,” PA Congressional District Gerrymandering Began in the 2000s but Became Extreme After 2010**

Average efficiency gap by decade.

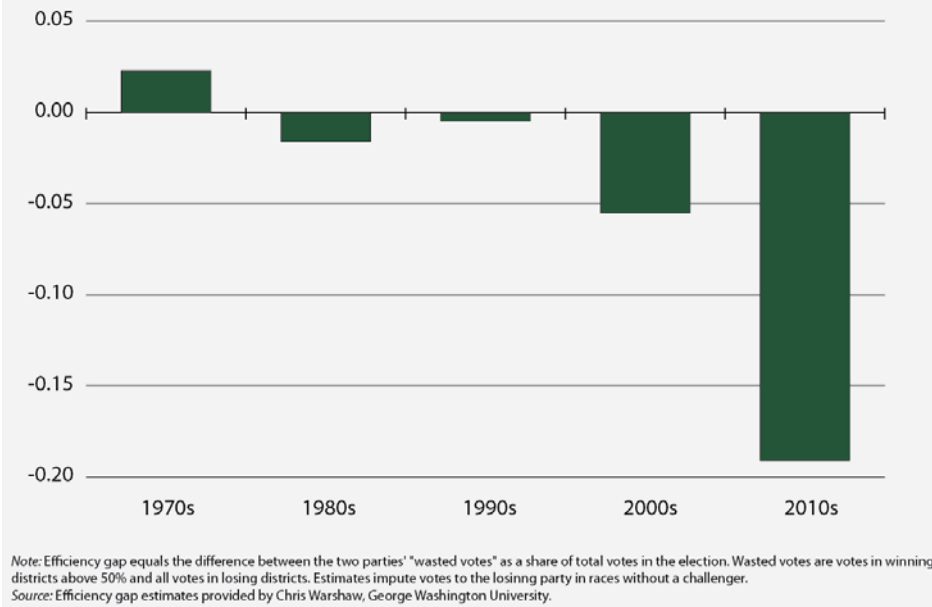


Table 6 and Figure 14 show how the ratios of Republican seat shares to Republican vote shares varied in recent decades for Pennsylvania state Senate and state House districts. As with the congressional districts, the state House figures show little sign of gerrymandering in 1990s – i.e., small differences between party seat shares and party vote shares. State House and state Senate figures show a bit of a gap between Republican seat and vote shares in the 2000s, especially in the state Senate, and a further increase in that gap after 2010, again especially in the state Senate. Efficiency gap estimates again corroborate the simpler analysis based on district and vote shares. For the Pennsylvania state Senate, the average efficiency gap in the 2000s was -7.5% (Republicans wasted 7.5% fewer votes as a share of all votes) and the average efficiency gap in the current cycle was -10.0%.<sup>49</sup> In the Pennsylvania state House, the average efficiency in the current cycle is still only - 3%.

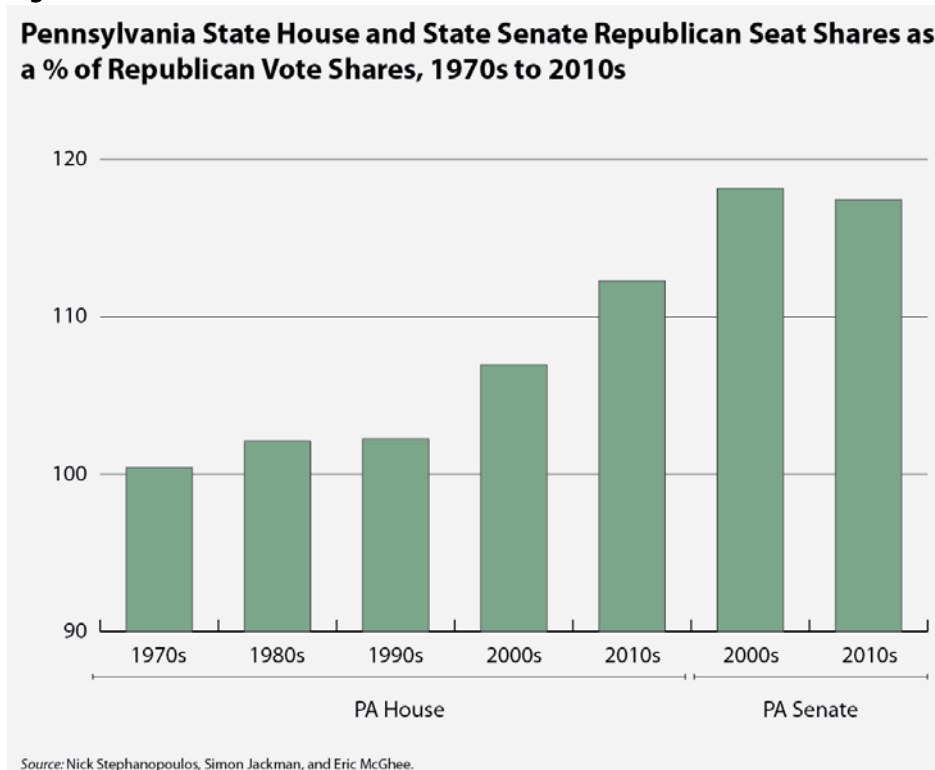
<b>Table 6. Pennsylvania House and Senate Vote and Seat Shares by Party</b>							
<b>PA House Districts</b>							
Decade	Average Vote Share (%)		Average Share of PA House Seats		Average Number of Seats per Party		Republican Share of Seats as % of Republican Share of Votes
	Democrat	Republican	Democrat	Republican	Democrat	Republican	
1970s	52.1%	47.9%	51.9%	48.1%	105	98	100
1980s	52.3%	47.7%	51.3%	48.7%	104	99	102
1990s	51.0%	49.0%	49.9%	50.1%	101	102	102
2000s	51.1%	48.9%	47.7%	52.3%	97	106	107
2010s	48.7%	51.3%	42.4%	57.6%	86	117	112
<b>PA Senate Districts</b>							
Decade	Average Vote Share (%)		Average Share of PA Senate Seats		Average number of Seats per Party		Republican Share of Seats as % of Republican Share of Votes
	Democrat	Republican	Democrat	Republican	Democrat	Republican	
2000s	49.9%	50.1%	40.8%	59.2%	20	30	118
2010s	47.8%	52.2%	38.7%	61.3%	19	31	117

*Note.* Estimates impute vote shares for the half of Senate Districts without an election in each even-year election cycle and impute vote share for challengers in districts without a challenger.

*Source.* Data including vote shares with estimates for districts without challengers provided by Nick Stephanopoulos, Simon Jackman, and Eric McGhee.

**Figure 14.**

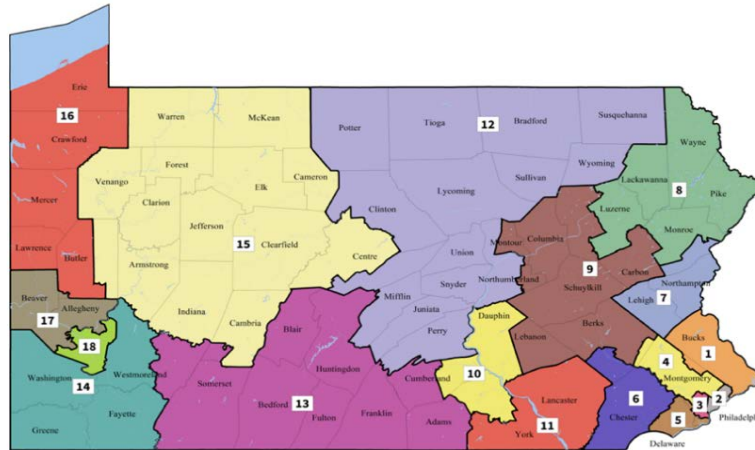
**Pennsylvania State House and State Senate Republican Seat Shares as a % of Republican Vote Shares, 1970s to 2010s**



## The Pennsylvania Supreme Court Redistricting Decision

Based on the weight of empirical evidence of gerrymandering of Pennsylvania’s congressional districts, the Pennsylvania Supreme Court earlier this year threw out the 2011 Pennsylvania congressional map. When the legislature and governor failed to come to a consensus on a new map within the prescribed time limits, the Supreme Court issued its own “remedial map,” the one used for the May 2018 congressional primary that will be used in this year’s congressional general election. The remedial map (Map 4) splits only 13 counties, down from 28 in the 2011 map.

**Map 4 – PA Congressional Map 2018 (also known as the “Remedial Map”)**



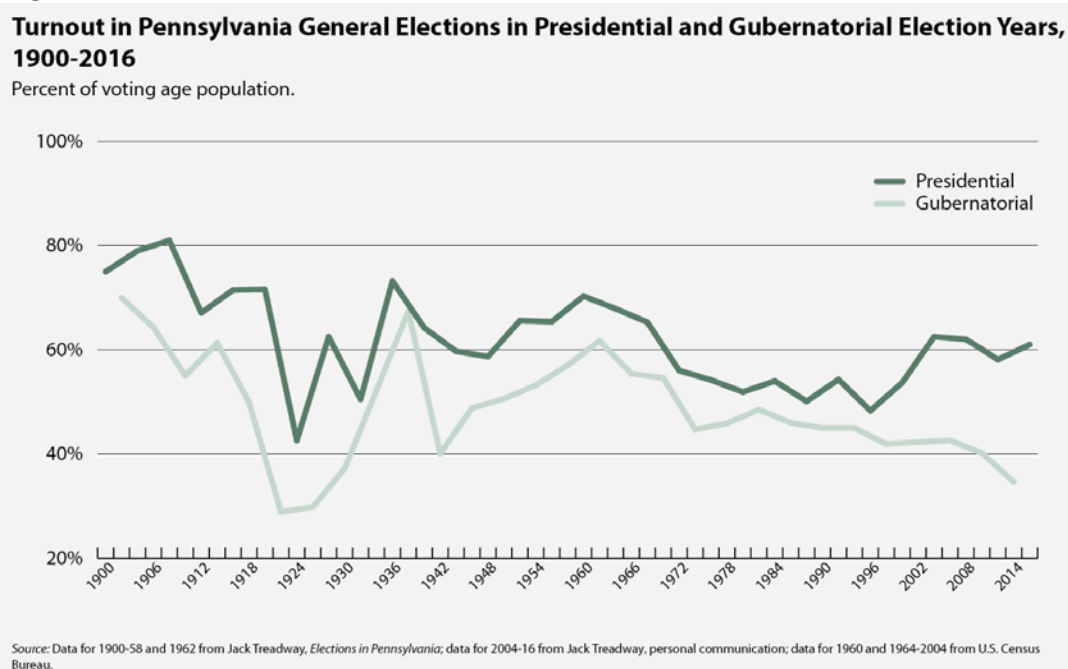
Source: Supreme Court of Pennsylvania, <http://www.pacourts.us/news-and-statistics/cases-of-public-interest/league-of-women-voters-et-al-v-the-commonwealth-of-pennsylvania-et-al-159-mm-2017>

In drawing the new map, the court reaffirmed the “traditional redistricting criteria of compactness, contiguity, equality of population, and respect for the integrity of political subdivisions.” The court also established more precise mathematical tests for evaluating whether these criteria have been respected. Together with public outrage, the state Supreme Court decision may rein in the legislature when it comes to redrawing district lines in 2021. (If the U.S. Supreme Court pulls the rug out from state court efforts to rein in extreme gerrymandering, all bets are off.<sup>50</sup>) To stop gerrymandering in the future, a strong majority of Pennsylvanians favor reforms to the redistricting process to ensure a truly independent commission redraws district lines.

## Political Participation

An engaged and voting populace is the life-blood of a healthy democracy. Unfortunately, this has not been a reality in recent Pennsylvania elections, particularly in the off-year elections between presidential elections, when gubernatorial elections in Pennsylvania take place. In Pennsylvania’s 2014 gubernatorial election, for example, only 34.6% of registered voters turned out to the polls — only about half of the participation levels seen in the 1902 and 1938 gubernatorial elections. Turnout in presidential elections in Pennsylvania since 1996 has increased, but not to the levels of the 1950s and 1960s — or to the even higher levels of the early 1900s (Figure 15).

**Figure 15.**



The uptick in participation in presidential election years since the mid-1990s may reflect the National Voter Registration Act (also known as the “Motor Voter” law) signed by President Bill Clinton in 1993 and implemented in Pennsylvania in 1996. Pennsylvania’s Department of State under Governor Wolf took another step to making voting easier with the 2015 implementation of online voter registration. Pennsylvania retains archaic deadlines that require voters to register a full month ahead of any election.

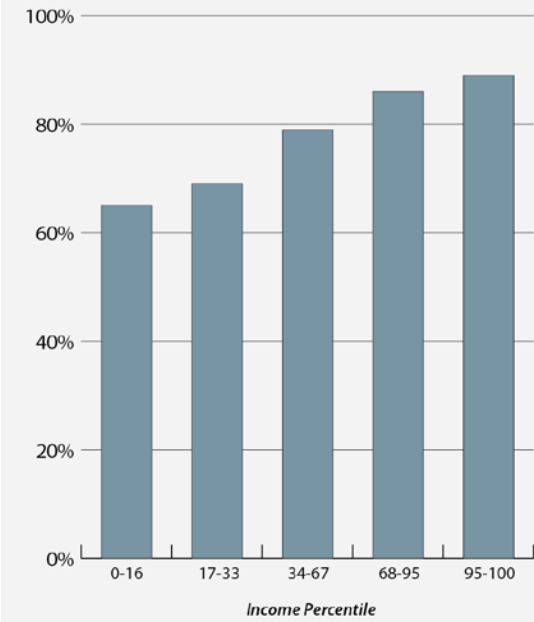
In 2012, members of Pennsylvania’s legislative majority took a step in the other direction — they created a new barrier to voting. The legislature passed a law that would have required voters to present a valid photo ID before being allowed to vote.<sup>51</sup> State courts halted implementation of this law and eventually struck it down as a violation of Pennsylvania’s state constitution. Had this law remained in place it would have been one of the most restrictive Voter ID laws in the nation and have had negative effects on the ability of vulnerable and marginalized communities to exercise their constitutionally guaranteed right to vote.

According to the American National Election Studies (ANES), voting and some other types of political participation vary by income. Higher-income Americans are more likely to contribute to candidates and

seek to influence the votes of others. Lower-income voters are more likely to put a bumper sticker on their car or wear a campaign button than the highest-income group (Figures 16-19).

**Figure 16.**

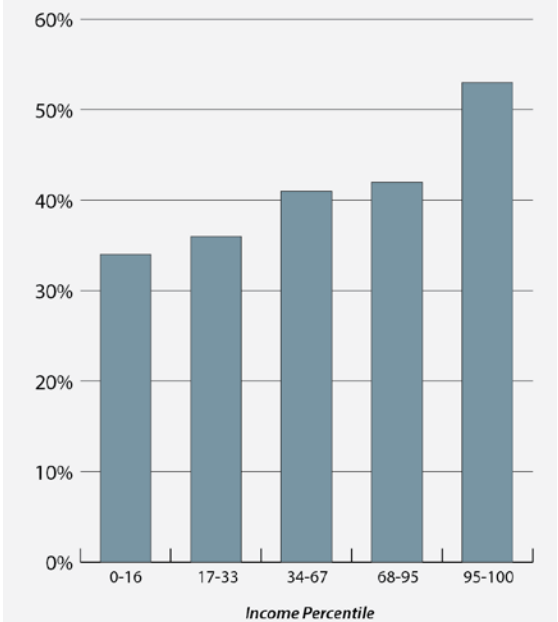
**Percent of Survey Respondents Who Answered "Yes, Voted" by Income Percentile, 2012**



Source: <http://www.electionstudies.org/nsguide/gd-index.htm#6>

**Figure 17.**

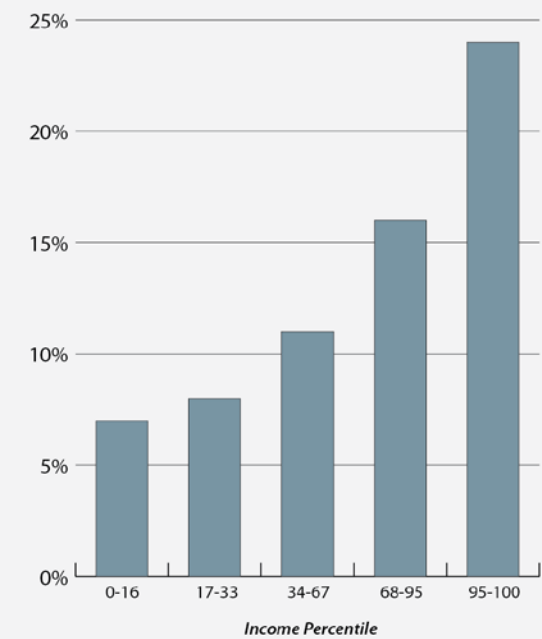
**Percent of Survey Respondents Who Tried to Influence How Others Voted by Income Percentile, 2012**



Source: <http://www.electionstudies.org/nsguide/gd-index.htm#6>

**Figure 18.**

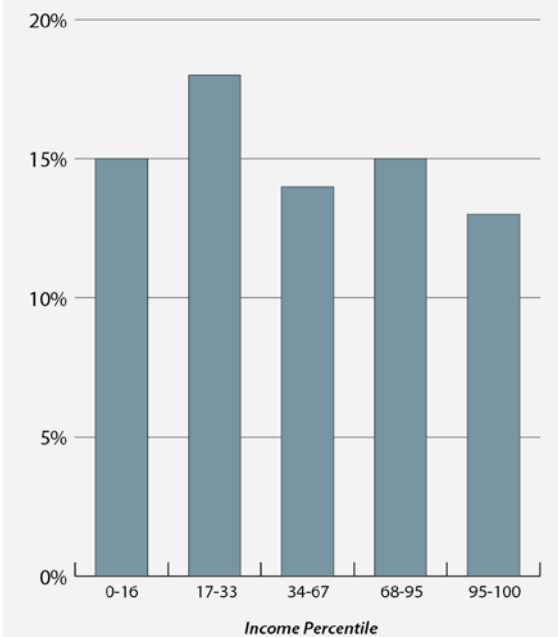
**Percent of Survey Respondents Who Gave Money to Help a Campaign by Income Percentile, 2012**



Source: <http://www.electionstudies.org/nsguide/gd-index.htm#6>

**Figure 19.**

**Percent of Survey Respondents Who Wore a Campaign Button or Placed a Campaign Bumper Sticker on a Car by Income Percentile, 2012**



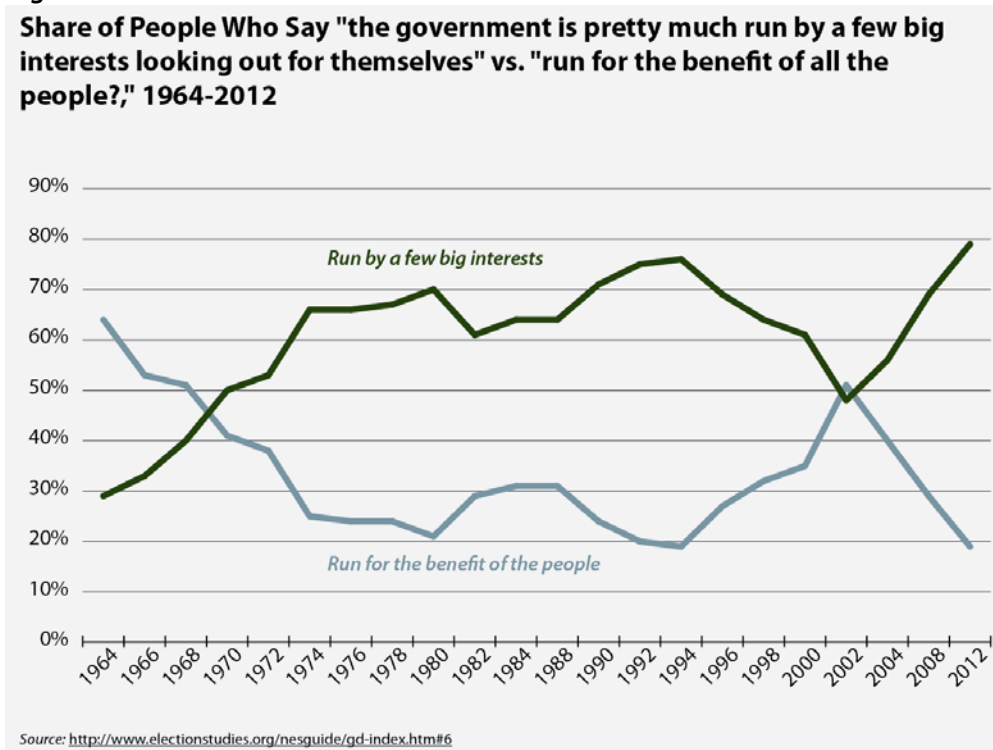
Source: <http://www.electionstudies.org/nsguide/gd-index.htm#6>

## Confidence in Government

Unfortunately, survey data on Pennsylvanian’s confidence in government is relatively limited. Yet, given the significant similarities between Pennsylvania and the rest of the nation — economically, politically, and, to some extent, demographically — utilizing national survey data in this area can serve as a substitute. We primarily utilize data from the American National Election Studies, which has asked a consistent battery of questions from as early as the 1950s to 2012.

The most pronounced trend from the ANES data is an erosion of people’s confidence in government. The share of people who believe government “is run for the benefit of all the people” has gone from two-thirds in 1964 to one-fifth in 2012 (after a 9-11 bump in 2002) (Figure 20).

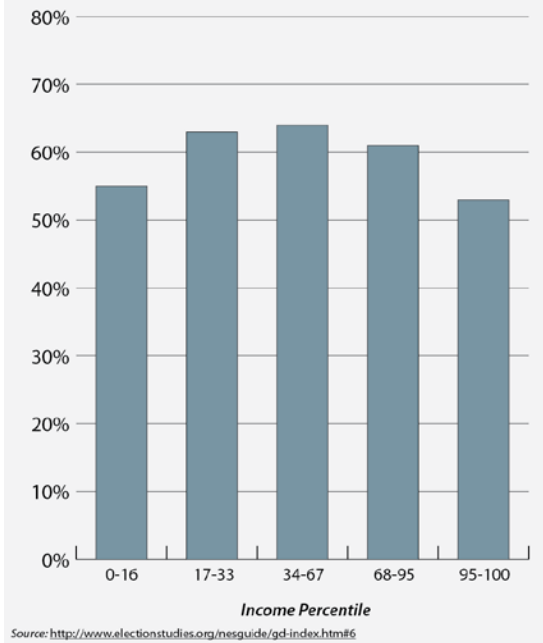
**Figure 20.**



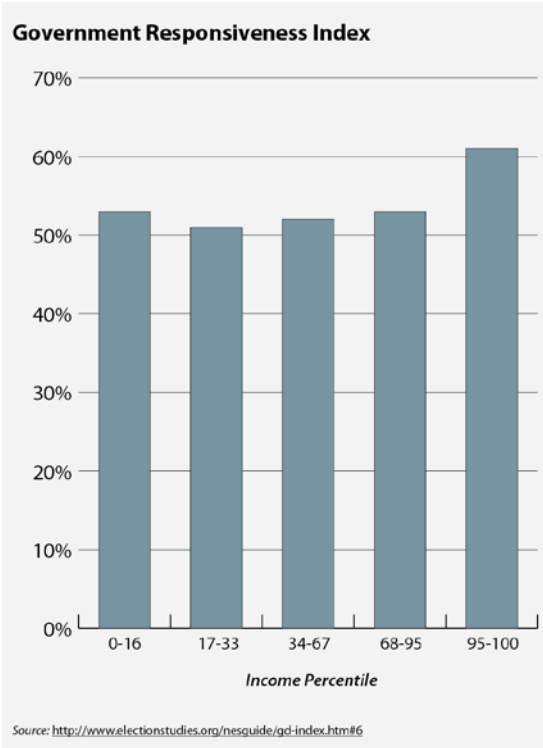
As of 2012, more than half the people in every income group agreed that “public officials don’t care much what people like me think” (Figure 21). About half of the people in all but the top 5% judged government responsive and even the highest-income 5% only judged government slightly more responsive (Figure 22)<sup>52</sup>. Even many upper-income Americans below the top 1% seem to perceive that their government no longer cares much what “people like me” think.

**Figure 21.**

**Percent of Survey Respondents Who Agreed with the Statement: "Public officials don't care much what people like me think" by Income Percentile, 2012**



**Figure 22.**



Typical Americans lack confidence in government and its responsiveness to them on a bipartisan basis and by wide margins. A 2016 national poll found that an overwhelming 93% of respondents said that elected officials listen more to deep-pocketed donors than regular voters. Only 5% of Republican respondents believe regular voters are heard more by their elected leaders.<sup>53</sup>



# Closing Pennsylvania's Democracy Deficit

## *Pennsylvania Has a Big Democracy Deficit*

A striking disjuncture exists in Pennsylvania between the priorities of the people and the priorities and actions of our current state legislature.

The recent poll by the “We the People Pennsylvania” campaign shows that Pennsylvanians overwhelmingly support a higher state minimum wage, a severance tax on natural gas, more funding for our schools, free college tuition, a tax system under which corporations and the 1% pay their fair share, and legislative districts drawn by a truly independent commission.<sup>54</sup>

Under the current legislative leadership, however, Pennsylvania:

- is the only state in the region without a minimum wage above the miserly federal \$7.25 per hour;<sup>55</sup>
- is the only major natural gas-producing state without a severance tax;<sup>56</sup>
- has the most unequal funding of K-12 schools in the country;<sup>57</sup>
- so underfunds our colleges that Pennsylvania ranks dead last for higher education according to *U.S. News and World Report*, sunk by a combination of high tuition and mushrooming student debt;<sup>58</sup>
- refuses to close corporate tax loopholes that allow big corporations to pay little or nothing so smaller businesses and individuals have to pay more;
- has gerrymandered both Congressional and state legislative districts, and the General Assembly has failed to enact genuine reforms to the redistricting process.

The disjuncture between what the people want and what the people get is shown by this report to reflect our state's deep “democracy deficit.” The current legislative majority is insulated from the will of the people by a combination of money in politics, uncompetitive districts, and low voter turnout. It governs based on the self-interest and ideological preferences of its contributors more than the will of the people. Consistent with our analysis, the Center for American Progress Action Fund rates Pennsylvania 43<sup>rd</sup> out of the 50 states for the health of its democracy based on indicators like many of those used in this report.<sup>59</sup>

**Here are some ways to close Pennsylvania's democracy deficit.<sup>60</sup>**

## *Improve Voter Turnout by Making it Easier to Vote*

Pennsylvania implemented online voter registration in August 2015, and earlier this year the number of Pennsylvanians registered online passed one million.<sup>61</sup> The Pennsylvania Senate also unanimously passed Senate Bill 263 on March 27, 2018. This would make it easier for permanently disabled people to vote by removing a duplicative requirement for verification of disability status every four years.<sup>62</sup>

Building on the progress above, Pennsylvania should enact a range of other reforms now spreading across the county that would make it easier to vote.<sup>63</sup>

*Offer voter registration through more state and local government agencies:* Some reforms generalize the approach in the national “Motor Voter” bill passed in 1993. They give eligible citizens opportunities to register to vote through secure means in interactions with multiple state agencies.

*Automatic voter registration:* Automatic voter registration goes a step further, using information already on file to identify individuals eligible to vote and adding them to voter rolls or updating voter information automatically when they are already registered. Voters automatically registered have the option of removing themselves from the rolls if they choose.

*Allow registration of unregistered voters on Election Day:* Election-Day and “same-day” registration (SDR) allow voters to register on the day of the election. As of early 2018, 16 states and Washington, D.C. had adopted SDR. To avoid manipulation of primary elections, SDR could be limited to unregistered voters, with already registered voters permitted to switch their party registration only until 30 days before the election. Research shows that same-day registration increases turnout by 5% to 7%.<sup>64</sup> Over half of Americans support automatic voter registration (54%) and same-day registration (55%).<sup>65</sup>

*Pre-register eligible 16- and 17-year olds and automatically add them to voter rolls when they turn 18:* Pre-registering voters before they turn 18 is a good first step towards educating them on their civic responsibilities. Twelve states and Washington D.C. pre-register 16-year olds and another four pre-register 17-year-olds.

*No-fault absentee voting and voting by mail:* No-fault absentee voting allows voters the convenient option of voting from home. While all states will provide an absentee ballot to qualified voters who request one, 20 states including Pennsylvania require the voter to provide a qualified excuse before they can receive a ballot. A recent study found that Utah’s experimentation with all-mail voting increased turnout by nearly 5%-7%.<sup>66</sup> Earlier research in Washington state found all-mail voting was associated with 2%-4% increases in turnout.<sup>67</sup> Both studies found that the positive effects of all-mail voting were most pronounced among young voters and those who never or rarely voted.

## *Reduce the Influence of Money in Politics*

Just as Americans and Pennsylvanians share the view that corporations and donors have too much influence in our politics, they also support changes in the financing of our elections: 85% of Americans say we must “fundamentally change” or “completely rebuild” the current system of funding political campaigns. Over three quarters of Pennsylvanians (77%) in a recent Franklin and Marshall poll supported reforming “the way campaigns are financed.”<sup>68</sup>

*Limit contribution to candidates and political action committees:*<sup>69</sup> Alaska, for example, caps contributions at \$500 per calendar year to candidates and PACs. Colorado caps contributions at \$575 per election to statewide candidates and PACs and at \$200 in legislative races but doubles the limits for candidates who voluntarily agree to spending limits and who face high-spending opponents. Limiting contributions to campaigns must, however, be coupled with other reforms to ensure that candidates and parties have sufficient means by which to contact and mobilize voters.

*Explore public financing with broad participation by small donors:*<sup>70</sup> Several red and blue states (including Arizona, Connecticut, North Dakota, and Maine) support public financing of election campaigns. To work, this must give candidates who participate in public financing sufficient funds to be

competitive in the primary and general election. Policies that use public funds to match small donations, such as Seattle’s voucher program or tax credits, can help ensure broad participation beyond the most ideological and highest-income voters.

*Improve Pennsylvania’s public disclosure of campaign contributions and independent expenditures.* Pennsylvania’s laws regulating independent expenditures received an “F” from the National Institute on Money in Politics because the definition of “electioneering communications” is inadequate. The Center for American Progress Action Fund gives Pennsylvania a 25 out of 120 possible points for its campaign disclosure laws. One of Pennsylvania’s challenges is the non-electronic filing of disclosure information, which creates lags and inaccuracies in the uploading of reported information. Pennsylvania should seek to implement electronic filing of campaign donations and independent expenditures.

### *Increase Electoral Competition by Ending Gerrymandering*

This report documents the gerrymandering of Pennsylvania’s Congressional districts and state legislative districts since the 2010 U.S. Census. The best way to protect against this in the future is through the establishment of a truly independent redistricting commission. This commission should not allow the state legislature to control either the selection of commission members or the selection or approval of new maps. Only a truly nonpartisan redistricting committee can be trusted with ending anti-democratic gerrymandering that allows politicians to protect incumbents or bias the distribution of legislative seats towards one party or another.

### *Resist Policies That Would Further Entrench an Undemocratic Political System*

The recommendations above focus on how to close Pennsylvania’s deficit of democracy. But we cannot dismiss the possibility that some lawmakers – or a new governor – might seek to increase this deficit. Here are some of the ways in which lawmakers in Pennsylvania and other states have sought to undermine democracy.

- Pennsylvania’s lawmakers attempted to enact a Voter ID bill that would have created new obstacles to voting among groups already under-represented in the electorate.
- In 2011 and 2012, then-Senate Majority Leader Dominic Pileggi proposed changing the determination of Pennsylvania’s electoral vote for president from a statewide, winner-take-all system to one vote per congressional district, taking advantage of Pennsylvania’s new gerrymandered districts.<sup>71</sup>
- This year, Senate Republicans proposed electing statewide judges through regional districts rather than statewide elections. This change, together with legislative control over the redistricting process, would give the majority in the General Assembly undue power over who is elected to Pennsylvania’s appellate courts, including the Supreme Court. The result would create a partisan bias in the election of judges and also threaten the separation of powers.
- The U.S. Supreme Court recently upheld (by a 5-4 margin) Ohio’s automatic purging of voter rolls if people don’t vote for a few elections and fail to respond to a mailed postcard from election officials.<sup>72</sup>
- Many other states disenfranchise felons not only while in prison (which Pennsylvania does), but after they have paid their debt to society and while they are on parole, probation, and even permanently.<sup>73</sup>

\* \* \* \* \*

### *The Democracy Deficit and Government Reform*

This report has shown that Pennsylvania suffers from a democracy deficit. In a world with growing income and wealth inequality, we need government more than ever to restore balance to our economy and political community. As it stands, however, Pennsylvania’s government is too beholden to wealthy donors and big corporations. Pennsylvania’s deficit of democracy is the core challenge that government reform must address.

There are other ideas about how to “reform government” in Pennsylvania. Too often, those who propose reforms in government, framing their ideas in what appear to be neutral or non-partisan terms, focus on ideas that they claim will reduce the costs or size of government. Such “reforms” — a constitutional amendment to limit the size or growth of government, term limits, a reduction in the size of the legislature — are not neutral at all. They reflect a conservative preference for reducing taxes, spending, and government regulation. They also deliberately reinforce a negative view of government and politicians, and the narrative that government, per se, is the problem.

In fact, the actual problem is government too responsive to monied interests, and too unresponsive to the rest of us. Real government reform must address that problem. Real government reform must seek to reinvigorate democracy.

A growing grassroots movement of voters is already seeking to address Pennsylvania’s democracy deficit and the political and economic inequalities that increase because of it — through the courts, through new organizations coming together to advocate for public policies that serve working people and the middle class, by running for political office and by voting.

The effectiveness of this nascent movement depends on people of all ages, races, ethnicities, genders, sexual orientations, and regions coming together to restore America’s democracy in its birthplace, Pennsylvania. We wrote this report to encourage more Pennsylvanians to join this movement.

## End Notes

<sup>1</sup> This overview includes a few key sources so that readers of just the overview do not have to search for the sources in the body of the report. Keystone Research Center's 1999 "Democracy in Pennsylvania" report by Howard Wial can be found online at <https://www.kestoneresearch.org/publications/research/democracy-pennsylvania>.

<sup>2</sup> Emmanuel Saez and Gabriel Zucman, "Wealth Inequality in the United States since 1913: Evidence from Capitalized Income Tax Data," *The Quarterly Journal of Economics*, Volume 131, Issue 2, May 2016, Pages 519–578, <http://gabriel-zucman.eu/uswealth/>.

<sup>3</sup> National Council of State Legislatures (NCSL): "State Limits on Contributions to Candidates 2017-2018 Election Cycle" (<http://www.ncsl.org/research/elections-and-campaigns/state-limits-on-contributions-to-candidates.aspx>). The other nine states are Alabama, Iowa, Mississippi, Missouri, Nebraska, Oregon, Texas, Utah, Virginia. North Dakota would be an eleventh but bans foreign contributions.

<sup>4</sup> Keystone Research Center analysis of data from FollowTheMoney.org available at <https://www.followthemoney.org>.

<sup>5</sup> The source for the numbers in this and the next sentence is the Oct. 16, 2016 "update" online at [www.marcellusmoney.org](http://www.marcellusmoney.org). Marcellus Money is a project of Common Cause Pennsylvania and Conservation Voters Pennsylvania.

<sup>6</sup> This section is based on Keystone Research Center analysis of data in Jack M. Treadway, *Elections in Pennsylvania: A Century of Partisan Political Conflict* (University Park, PA: Penn State University Press, 2005); and data through 2016 provided by Jack M. Treadway.

<sup>7</sup> [https://ballotpedia.org/Pennsylvania\\_House\\_of\\_Representatives\\_elections,\\_2016](https://ballotpedia.org/Pennsylvania_House_of_Representatives_elections,_2016)

<sup>8</sup>

[https://ballotpedia.org/2018\\_primary\\_election\\_competitiveness\\_in\\_state\\_and\\_federal\\_government#Pennsylvania](https://ballotpedia.org/2018_primary_election_competitiveness_in_state_and_federal_government#Pennsylvania)

<sup>9</sup> The data and estimates in this section were provided by academic gerrymandering experts Chris Warshaw and Nick Stephanopoulos. Full citations will be provided in the forthcoming "Democracy in Pennsylvania" report.

<sup>10</sup> <http://www.redistricting.state.pa.us/commission/commission.cfm>

<sup>11</sup> For the topline results of the We the People Pennsylvania poll, along with a power point presentation and a memo on the results, go to <http://wethepeoplepa.org/polling/>

<sup>12</sup> The source for Figure 1 measures wealth in a novel way aimed at addressing the lack of wealth data in the United States. It does this by "capitalizing" comprehensive data on capital income — such as dividends, interest, rents, and business profits — available from the Internal Revenue Service since 1913. This new source roughly agrees with the wealth trends since 1962 based on periodic Surveys of Consumer Finance conducted by the Federal Reserve Bank. This more traditional source shows a similar top 1% wealth share in the most recent year (39.6% in 2016) as well as an increase (from 33.8%) since 1983. See Edward N. Wolff, "Household Wealth Trends in the United States, 1962 to 2016: Has Middle Class Wealth Recovered," National Bureau of Economic Research, Working Paper 24085 <http://www.nber.org/papers/w24085>. In Keystone Research Center's 1999 "Democracy in Pennsylvania" (online at

<https://www.kestoneresearch.org/sites/default/files/KRC%201999%20Democracy%20Report.pdf>, see Figure 1 and end note 1) we cited, and adapted a chart a *New York Times* Sunday magazine story showing that the top 1% wealth share was below the 1928-29 level according to all available data back to 1776. See Sylvia Nasar, "The Rich Get Richer, But Never the Same Way Twice," *New York Times*, August 16, 1992, p. E-3. The *New York Times* cites three economists, Claudia Goldin, Bradford Delong, and Ed Wolff as the sources for its chart.

<sup>13</sup> David Koch, one of the Koch Brothers, has a net worth of \$60 billion. See

<https://www.investopedia.com/articles/investing/122915/koch-brothers-americas-2nd-wealthiest-family.asp>.

<sup>14</sup> KRC labor economist Mark Price and co-authors show that income inequality has increased in every U.S. state since the late 1970s. See Estelle Sommeiller, Mark Price, and Ellis Wazeter, "Income inequality in the U.S. by state, metropolitan area, and county," Economic Policy Institute and the Economic Analysis Research Network, June 16, 2016, online at <https://www.epi.org/publication/income-inequality-in-the-us/>.

<sup>15</sup> Jefferson wrote: "It is not too soon to provide by every possible means that as few as possible shall be without a little portion of land. The small landholders are the most precious part of a state." Thomas Jefferson, letter to James Madison, October 28, 1785.

<sup>16</sup> Alexis de Tocqueville, *Democracy in America*, vol. 2 (New York: Vintage, 1945), p. 304.

<sup>17</sup> Martin Gilens, *Affluence and Influence: Economic Inequality and Political Power in America* (Princeton, NJ: Princeton University Press, 2014), p. 234. For more statistical analysis in the same vein, see Benjamin Page and Martin Gilens, "Testing Theories of American Politics: Elite, Special Interest Groups, and Ordinary Citizens," *Perspectives on Politics* 12(Number 3), 2014: 564-582; [https://scholar.princeton.edu/sites/default/files/mgilens/files/gilens\\_and\\_page\\_2014\\_testing\\_theories\\_of\\_american\\_politics.doc.pdf](https://scholar.princeton.edu/sites/default/files/mgilens/files/gilens_and_page_2014_testing_theories_of_american_politics.doc.pdf).

<sup>18</sup> For a blog and video on U.S. union density and income inequality from 1918 to the present, go to <https://www.epi.org/blog/union-decline-rising-inequality-charts/>.

<sup>19</sup> *Buckley v. Valeo*, 424 U.S. 1 (1976)

<sup>20</sup> <https://www.opensecrets.org/overview/limits.php>

<sup>21</sup> See source note 2.

<sup>22</sup> See source note 2.

<sup>23</sup> This and the other statistics in this paragraph comes from <https://www.opensecrets.org/news/2016/11/the-price-of-winning-just-got-higher-especially-in-the-senate/>.

<sup>24</sup> <https://www.opensecrets.org/overview/topraces.php?cycle=2016&display=allcandsout>

<sup>25</sup> Since unions and corporations can't give directly to candidates in Pennsylvania, the "non-organizational" category would consist primarily of PAC contributions. Personal communication with Peter Quist, National Institute on Money and Politics, June 29, 2018.

<sup>26</sup> The sources for the numbers in this and the next sentence are the Oct. 16, 2016 "update" online at [www.marcellusmoney.org](http://www.marcellusmoney.org) (Marcellus Money is a project of Common Cause Pennsylvania and Conservation Voters Pennsylvania); and an update of natural gas political contributions through 2017 by Rep. Greg Vitali. See Greg Vitali, "Marcellus Money and the Pennsylvania Legislature," Revised 3/23/2018; [http://www.pahouse.com/files/Documents/2018-03-23\\_120115\\_Marcellus%20Money%20Update%203.23.2018.pdf](http://www.pahouse.com/files/Documents/2018-03-23_120115_Marcellus%20Money%20Update%203.23.2018.pdf). Vitali's number for campaign contributions received by Sen. Scarnati is lower than the "Marcellus Money" figure 17 months earlier so we used the more conservative (lower) Vitali number.

<sup>27</sup>

[https://www.opensecrets.org/overview/blio.php?utm\\_source=datafeatrue&utm\\_medium=internal&utm\\_campaign=internal-cfblio-062518](https://www.opensecrets.org/overview/blio.php?utm_source=datafeatrue&utm_medium=internal&utm_campaign=internal-cfblio-062518)

<sup>28</sup> This broader definition adds to PAC contributions by corporations individual contributions based on the person's occupation;

[https://www.opensecrets.org/overview/blio.php?utm\\_source=datafeatrue&utm\\_medium=internal&utm\\_campaign=internal-cfblio-062518](https://www.opensecrets.org/overview/blio.php?utm_source=datafeatrue&utm_medium=internal&utm_campaign=internal-cfblio-062518)

<sup>29</sup> <http://reclaimdemocracy.org/who-are-citizens-united/>

<sup>30</sup> The Pennsylvania Department of State defines independent expenditures as "any expenditures by a person made for the purpose of influencing an election without cooperation or consultation with any candidate or any political committee authorized by that candidate and which is not made in concert with or at the request or suggestion of any candidate or political committee or agent thereof"; online at

<https://www.campaignfinanceonline.pa.gov/Pages/IndependentExpenditure.aspx>

<sup>31</sup> Federal Election Commission (FEC). "Contributions to Super PACs and Hybrid PACs". (<https://www.fec.gov/help-candidates-and-committees/taking-receipts-pac/contributions-to-super-pacs-and-hybrid-pacs/>)

<sup>32</sup> <https://www.followthemoney.org/research/institute-reports/scorecard-essential-disclosure-requirements-for-independent-spending-2014>

<sup>33</sup> [https://www.opensecrets.org/outsidespending/cycle\\_tots.php](https://www.opensecrets.org/outsidespending/cycle_tots.php)

<sup>34</sup> For analysis of the impacts of the federal tax law in Pennsylvania, including numbers on how much of the benefits go to only the richest Pennsylvanians and corporations, see the resources at <https://www.pennbpc.org/category/issue-tags/tax-and-budget/federal-taxes>.

<sup>35</sup> <https://sunlightfoundation.com/2015/08/12/how-transparent-is-your-states-lobbying-disclosure/> For the spreadsheet with the ratings by state on individual criteria and overall, go to [https://docs.google.com/spreadsheets/d/1WGGCw4eMDEdPvGGRDO7Cef\\_11iVRnM-XBXWRGluHsAE/pubhtml](https://docs.google.com/spreadsheets/d/1WGGCw4eMDEdPvGGRDO7Cef_11iVRnM-XBXWRGluHsAE/pubhtml).

<sup>36</sup> House Bill 1175 became Act 2;

<http://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2017&slnd=0&body=H&type=B&bn=1175>

<sup>37</sup> The most recent Pennsylvania Department of State annual report on lobbying which is available online covers 2015; see Pennsylvania Department of State, "Lobbying Disclosure in Pennsylvania: 2015 Annual Report," February 2017, [http://www.dos.pa.gov/OtherServices/LobbyingDisclosure/Documents/Combined%20Report%20\(2\).pdf](http://www.dos.pa.gov/OtherServices/LobbyingDisclosure/Documents/Combined%20Report%20(2).pdf). This report has some internal inconsistencies which raise questions about the reliability of the data.

<sup>38</sup> Greg Vitali, "Marcellus Money and the Pennsylvania Legislature," Revised 3/23/2018;

[http://www.pahouse.com/files/Documents/2018-03-](http://www.pahouse.com/files/Documents/2018-03-23_120115_Marcellus%20Money%20Update%203.23.2018.pdf)

[23\\_120115\\_Marcellus%20Money%20Update%203.23.2018.pdf](http://www.pahouse.com/files/Documents/2018-03-23_120115_Marcellus%20Money%20Update%203.23.2018.pdf). Vitali's number for campaign contributions received by Sen. Scarnati is lower than the "Marcellus Money" figure 17 months earlier so we used the more conservative (lower) Vitali number.

<sup>39</sup> Candy Woodall, "Who has the most lobbyists in Pa?" *Harrisburg Patriot-News*, April 4, 2016;

[https://www.pennlive.com/news/2016/04/who\\_has\\_the\\_most\\_lobbying\\_powe.html](https://www.pennlive.com/news/2016/04/who_has_the_most_lobbying_powe.html)

<sup>40</sup> Keystone Research Center based on <https://www.opensecrets.org/featured-datasets/15> and the data set available there at [https://docs.google.com/spreadsheets/d/15I3pfBXE\\_q9aCRSdC-22UM-wVPp91LIPjtB7sYmV5fw/edit?ts=5b30e4fb#gid=0](https://docs.google.com/spreadsheets/d/15I3pfBXE_q9aCRSdC-22UM-wVPp91LIPjtB7sYmV5fw/edit?ts=5b30e4fb#gid=0)

<sup>41</sup> [https://ballotpedia.org/Pennsylvania\\_House\\_of\\_Representatives\\_elections,\\_2016](https://ballotpedia.org/Pennsylvania_House_of_Representatives_elections,_2016)

<sup>42</sup> [https://ballotpedia.org/2018\\_primary\\_election\\_competitiveness\\_in\\_state\\_and\\_federal\\_government#Pennsylvania](https://ballotpedia.org/2018_primary_election_competitiveness_in_state_and_federal_government#Pennsylvania)

<sup>43</sup> Pennsylvania Department of State. "Congressional Redistricting"

(<http://www.redistricting.state.pa.us/Congressional-Redistricting.cfm>)

<sup>44</sup> Pennsylvania Department of State. "Legislative Redistricting" (<http://www.redistricting.state.pa.us/Legislative-Redistricting.cfm>)

<sup>45</sup> John J. Kennedy, Ph.D. – West Chester University. Expert Report: "Report on Pennsylvania's Congressional Districts." 27 November 2017. ([https://www.brennancenter.org/sites/default/files/legal-work/LWV\\_v\\_PA\\_Kennedy\\_Revised\\_Report\\_Final\\_11.27.2017.pdf](https://www.brennancenter.org/sites/default/files/legal-work/LWV_v_PA_Kennedy_Revised_Report_Final_11.27.2017.pdf))

<sup>46</sup> Kennedy, Expert Report. 2017.

<sup>47</sup> This paragraph is adapted from the definition on the website of the Public Interest Law Center of Philadelphia; online at <https://www.pubintlaw.org/cases-and-projects/pennsylvania-redistricting-lawsuit-faqs/>.

<sup>48</sup> Nicholas Stephanopoulos, and Eric McGhee, "Partisan Gerrymandering and the Efficiency Gap." *University of Chicago Law Review*. 2014. (<http://ssrn.com/abstract=2457468>)

<sup>49</sup> Personal communication with Nick Stephanopoulos of estimates developed by Nick Stephanopoulos, Simon Jackman, and Eric McGhee. Pennsylvania House efficiency gap estimate for the current cycle in the next sentence online at <https://planscore.org/pennsylvania/#l2016-plan-statehouse-eg>.

<sup>50</sup> Michael Wines, "Kennedy's Retirement Could Threaten Efforts to End Partisan Gerrymandering," *New York Times*, June 30, 2018; <https://www.nytimes.com/2018/06/30/us/kennedy-scotus-gerrymandering.html>

<sup>51</sup> For background on Pennsylvania's voter ID bill, see Sharon Ward, "Moving Target: Pennsylvania's Flawed Implementation of the Voter ID Law," *Pennsylvania Budget and Policy Center*, September 2012; <https://www.pennbpc.org/DeptofStateVoterID>.

<sup>52</sup> The Government Responsiveness Index shown in Figure 22 is an index constructed from answers to two questions: "Over the years, how much attention do you feel the government pays to what the people think when it decides what to do — a good deal, some, or not much?" "And how much do you feel that having elections makes the government pay attention to what the people think — a good deal, some or not much?" [http://www.electionstudies.org/nesguide/toptable/tab5c\\_3](http://www.electionstudies.org/nesguide/toptable/tab5c_3)

<sup>53</sup> <https://www.issueone.org/new-poll-shows-money-in-politics-is-a-top-voting-concern/>

<sup>54</sup> For the topline results of the We the People Pennsylvania poll, along with a power point presentation and a memo on the results, go to <http://wethepeoplepa.org/polling/>

<sup>55</sup> Mark Price, "The Pennsylvania Minimum Wage 2018," *Keystone Research Center*, January 2, 2018; <https://www.keystoneresearch.org/publications/research/minwagerep2018>

<sup>56</sup> Diana Polson and Stephen Herzenberg, “Governor Wolf’s 2018 Severance Tax Proposal Could Bring in \$1.7 Billion of Revenue Over the Next Five Years,” Pennsylvania Budget and Policy Center, June 2018; [https://www.pennbpc.org/sites/default/files/Severance\\_Tax\\_Brief\\_Updated\\_June\\_2018\\_0.pdf](https://www.pennbpc.org/sites/default/files/Severance_Tax_Brief_Updated_June_2018_0.pdf). (This briefing paper may be updated shortly to reflect the fact that the legislature did not include a severance tax in the 2018-19 budget sent to Gov. Wolf.)

<sup>57</sup> Emma Brown, “Pa. schools are the nation’s most inequitable. New Governor wants to fix that,” *Washington Post*, April 22, 2015; [https://www.washingtonpost.com/local/education/pa-schools-are-the-nations-most-inequitable-the-new-governor-wants-to-fix-that/2015/04/22/3d2f4e3e-e441-11e4-81ea-0649268f729e\\_story.html?noredirect=on&utm\\_term=.9b007d7a3c7e](https://www.washingtonpost.com/local/education/pa-schools-are-the-nations-most-inequitable-the-new-governor-wants-to-fix-that/2015/04/22/3d2f4e3e-e441-11e4-81ea-0649268f729e_story.html?noredirect=on&utm_term=.9b007d7a3c7e)

<sup>58</sup> “Best States for Higher Education,” *U.S. News & World Report*, <https://www.usnews.com/news/best-states/rankings/education/highereducation>

<sup>59</sup> <https://healthofstatedemocracies.org/states/pennsylvania.html>

<sup>60</sup> For recommendations specific to Pennsylvania that overlap those here, see also <https://healthofstatedemocracies.org/states/pennsylvania.html> (scroll down to the bottom of the page).

<sup>61</sup> <https://www.governor.pa.gov/one-million-pennsylvanians-use-wolf-administrations-register-votespa-com/>; the state’s online voter registration site in [www.register.votespa.com](http://www.register.votespa.com) (and it works with the www).

<sup>62</sup> [http://www.legis.state.pa.us/cfdocs/billinfo/bill\\_history.cfm?year=2017&ind=0&body=S&type=B&bn=263](http://www.legis.state.pa.us/cfdocs/billinfo/bill_history.cfm?year=2017&ind=0&body=S&type=B&bn=263)

<sup>63</sup> This sub-section draws primarily from Demos, “Everyone’s America: State Policies for an Equal Say in Our Democracy and an Equal Chance in Our Economy,” Spring 2018 edition, pp. 118-122;

<http://www.demos.org/publication/everyones-america>. See also Brennan Center for Justice, “The Case for Automatic Voter Registration,” New York, July 21, 2016; <https://www.brennancenter.org/publication/case-automatic-voter-registration>

<sup>64</sup> See Brennan Center for Justice, “The Case for Automatic Voter Registration,” p. 10, which also contains additional sources. See also <http://www.ncsl.org/research/elections-and-campaigns/same-day-registration.aspx>

<sup>65</sup> Demos, “Everyone’s America,” p. 120.

<sup>66</sup> Amelia Showalter. “Utah 2016: Evidence for the positive turnout effects of “Vote At Home” (also known as Vote By Mail) in participating counties.” *Pantheon Analytics*. 3 May 2018. (<https://washingtonmonthly.com/wp-content/uploads/2018/06/Utah-2016-Voter-File-Analysis-Pantheon-Analytics.pdf>)

<sup>67</sup> Gerber, A., Huber, G., & Hill, S. (2013). Identifying the Effect of All-Mail Elections on Turnout: Staggered Reform in the Evergreen State. *Political Science Research and Methods*, 1(1), 91-116. (<https://www.cambridge.org/core/journals/political-science-research-and-methods/article/identifying-the-effect-of-allmail-elections-on-turnout-staggered-reform-in-the-evergreen-state/3725E51B9B7F331D77DC9B49130D7F7D>)

<sup>68</sup> Center for Opinion Research. “June 4 -10, 2018 Franklin and Marshall College Poll”. Franklin and Marshall College. 14 June 2018. (<https://www.fandm.edu/fandmpoll>)

<sup>69</sup> Demos, “Everyone’s America,” p. 114.

<sup>70</sup> Demos, “Everyone’s America,” p. 108-112, which also has cites to where readers can find additional information.

<sup>71</sup> <http://www.politicspa.com/capitolwire-pileggi-wants-to-change-pa-electoral-process/27552/>. This would have result in a 13-7 vote for Mitt Romney from Pennsylvania in the electoral college of 2012 instead of a 20-0 vote for President Obama.

<sup>72</sup> <https://www.nytimes.com/2018/06/11/us/politics/supreme-court-upholds-ohios-purge-of-voting-rolls.html>

<sup>73</sup> <https://healthofstatedemocracies.org/factors/felons.html>