



An Introduction to Reapportionment & Redistricting

Presession Orientation Briefing

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December 7, 2010

Reapportionment & Redistricting

✧ Every ten years, following the Federal Census, the Nevada State Legislature is responsible for reapportioning and redistricting the districts for:

✧ The U.S. House of Representatives;

✧ The Nevada State Senate;

✧ The Nevada State Assembly;

✧ Board of Regents of the University of Nevada; and

✧ The State Board of Education.

Reapportionment vs. Redistricting

What is the Difference?

✱ “Apportionment,” in the purest sense, is the division of a given number of elected members among established political subdivisions in accordance with an existing plan or formula.

- U.S. House of Representatives seats apportioned among the states.
- Allocation of *existing* legislative districts to another part of the State.

Reapportionment vs. Redistricting

What is the Difference?

- ✳ “Redistricting” is the division of existing districts into new districts with different boundaries.
 - Thus, states with more than one member of the House of Representatives “redistrict” their “apportionment” of representatives into new districts to achieve equal population.
 - “Redistricting” pertains to redrawing lines for election districts.

Reapportionment & Redistricting

✳ The primary requirement for reapportionment and redistricting in Nevada appears in Section 5, Article 4, of the *Nevada Constitution*, which states that after each decennial census, the Legislature shall fix by law the number of senators and assemblymen and apportion them among legislative districts established by statute, according to the number of inhabitants in those districts.

Reapportionment & Redistricting

- ✳ Two additional provisions in the *Nevada Constitution* provide for representation based on population:
 - Article 1, Section 13, states that “representation shall be apportioned according to population.”
 - Article 15, Section 13, provides that the census “. . . shall serve as the basis of representation in both houses of the Legislature.”

Reapportionment & Redistricting

-- A Brief History --

- ✧ Since statehood in 1864, several original provisions in the *Nevada Constitution* have governed the size of the Legislature:
 - ✧ No more than 75 total legislators; and
 - ✧ The number of Senators shall be no less than one-third and nor more than one-half the number of Assembly members.
- ✧ From 1864 to 1919, the composition of the Legislature changed 16 times, ranging from a low of 45 members (15 Senators and 30 Assembly members) to the maximum 75 members (25 Senators and 50 Assembly members)

Reapportionment & Redistricting

-- A Brief History --

- ✳ Original constitutional provisions for redistricting by population were routinely ignored from 1919 to 1965 as the Senate was apportioned on the basis of one Senator from each county. The Assembly also had at least one representative from each county.
- ✳ Interestingly, provisions setting forth equal representation by county in the Senate and at least one county representative in the Assembly were added to the *Nevada Constitution* in 1950.
- ✳ These provisions existed in conflict with the equal population provisions until 1970.

Reapportionment & Redistricting

-- A Brief History --

- ✳ In the 1961 redistricting exercise, a drastic realignment was made to account for the state's rapid growth and increased population concentrations in Clark and Washoe Counties.
- ✳ Clark and Washoe Counties were given 21 Assembly members (12 and 9) – about 57 percent of the Assembly – even though both counties represented about 75 percent of the State's population.

Reapportionment & Redistricting

-- A Brief History --

- ✧ While the 1961 reapportionment did not closely reflect the equal population goal, it did show that the Legislature recognized that population-based apportionment was becoming an important nationwide issue.
- ✧ This apportionment scheme was challenged, however, in 1965.
- ✧ A special legislative session in October 1965 essentially paved the way for the establishment of the “one-man, one-vote” principle for equal representation.

Reapportionment & Redistricting

-- A Brief History --

- ✳ The 1965 redistricting plan had 20 Senators elected from 13 districts and the Assembly had 40 members elected from 16 districts. This started the era of multi-member legislative districts in Nevada.
- ✳ Redistricting in 1971 was less tumultuous, as there seemed to be a greater acceptance of population-based apportionment.
- ✳ 1970s – 60 members total (20 Senators and 40 Assemblymembers)

Reapportionment & Redistricting

-- A Brief History --

- ✳ In 1981, the size of the Legislature was increased to its current size – 63 (21 Senators and 42 Assemblymembers)
- ✳ Greater controversy existed with the 1991 round of reapportionment.
- ✳ In 1991, the Democrat and Republican margins were so close that both parties had to compromise.

Reapportionment & Redistricting

-- A Brief History --

- ✳ The huge population growth of the 1980s, especially in southern Nevada, meant that representation in the north would have to be shifted to the south.
- ✳ The 1990s also marked the beginning of computer mapping, thereby increasing the sophistication of the process.
- ✳ In 2001, the redistricting process, while made simpler due to technological advances, was also challenging due to significant political and demographic factors.

Reapportionment & Redistricting

-- A Brief History --

- ✳ In 2001, the size of the Legislature remained at 63.
- ✳ Representation was again shifted to southern Nevada due to population growth.
 - Senate – one seat shifted entirely to Clark County and one seat included portions of rural Nevada and Clark County.
 - Assembly – three seats shifted from northern and rural Nevada to Clark County.
- ✳ Another significant challenge was the addition of a new Congressional seat for Nevada.

Statistics on Current Districts

– Legislative Districts –

- * Each member of the Assembly represents about 47,580 Nevada residents.
- * Each member of the Senate represents about 95,155 Nevada residents.
- * 2 of the 21 Senate seats are 2-member districts representing about 190,000 people each.
- * The Senate has 12 districts (14 Senators) representing Clark County and 7 districts representing the rest of the State (1 of those 7 districts includes a portion of Clark County)
- * The Assembly includes 29 districts representing Clark County, 6 districts entirely within Washoe County, and 7 districts in rural Washoe County and the remaining rural counties.

Statistics on Current Districts

–Board of Regents of the University of Nevada and State Board of Education –

✧ Board of Regents:

- 13 member board (increased from 11 members in 2001), with each member representing approximately 153,712 Nevada residents.

✧ State Board of Education

- 10 member board (decreased from 11 members in 2001), with each member representing approximately 199,826 Nevada residents.

Statistics on Current Districts

–House of Representatives –

- ✧ Article 1, Section 2, of the *United States Constitution* provides that congressional representatives shall be apportioned among the several states according to their respective numbers.
- ✧ Section 2 of the 14th amendment to the *United States Constitution* also provides for equal representation (Equal Protection Clause).

Statistics on Current Districts

– House of Representatives –

- ✳ Three Congressional seats with the third seat created in 2001.
- ✳ Two Congressional seats wholly within Clark County and one including a portion of Clark County and the all the rest of Nevada.
- ✳ District population (based on the 2000 Census) is 666,086, with each district nearly equal in population.

Population Data and Projections

	2000 Population (2000 Census)	2010 Projected Population*
Nevada	1,998,257	2,748,294 (+37.5%)
Carson City	52,457	55,291 (+5.4%)
Churchill County	23,982	25,515 (+6.4%)
Clark County	1,375,765	1,976,256 (+43.6%)
Douglas County	41,259	50,015 (+21.2%)
Elko County	45,291	48,694 (+7.5%)
Esmeralda County	971	953 (-1.9%)
Eureka County	1,651	1,638 (-0.8 %)
Humboldt County	16,106	17,941 (+11.4%)
Lander County	5,794	5,303 (-8.5%)
Lincoln County	4,165	4,829 (+15.9%)

Population Data and Projections (cont.)

	2000 Population (2000 Census)	2010 Projected Population*
Lyon County	34,501	56,954 (+65.1%)
Mineral County	5,071	4,674 (-7.8%)
Nye County	32,485	47,120 (+45.1%)
Pershing County	6,693	6,296 (-5.9%)
Storey County	3,399	4,550 (+33.9%)
Washoe County	339,486	433,045 (+27.6%)
White Pine County	9,181	9,220 (+0.4%)

*2010 estimated population is a product of ESRI's Tapestry Dataset, which includes data sources from the U.S. Bureau of the Census American Community Survey county-level housing information and local population projections.

Potential Legislative Scenarios Based on Population Projections

- ✧ If the Legislature remains at 63 members:
 - 42 Assembly Districts – Ideal population of 65,436
 - 21 Senate Districts – Ideal population of 130,871
- ✧ If the size of the Legislature is increased:
 - 44 Assembly Districts – Ideal population of 62,461
 - 46 Assembly Districts – Ideal population of 59,746
 - 50 Assembly Districts – Ideal population of 54,966
 - 22 Senate Districts – Ideal population of 124,922
 - 23 Senate Districts – Ideal population of 119,491
 - 25 Senate Districts – Ideal population of 109,932

Challenges for Reapportionment and Redistricting in 2011

✧ Tremendous Overall Population Growth

- ✧ Anticipated statewide growth of over 1.54 million residents between 1990 and 2010.
- ✧ Anticipated growth in Clark County of 1.23 million people since 1990.
- ✧ Anticipated Washoe County growth of 178,000 people since 1990.

✧ This growth is sufficient enough to allow for a fourth congressional seat for Nevada

✧ Conversely, the recent population decrease in several Nevada counties could be challenging

✧ Increased influence of communities of interest (ethnic groups, urban, rural, etc.)

Challenges for Reapportionment and Redistricting in 2011

- ✧ Impact of term limits on institutional knowledge
- ✧ Impact of term limits on the reallocation of legislative districts around the State
- ✧ Size of Legislature to be determined in 2011 (Article 15, Section 6, *Nevada Constitution*)
- ✧ Potential for splitting precincts and creating multiple “ballot styles” due to overlapping, non-coterminous district boundaries
- ✧ Compressed time frame amid other important legislative matters

Reapportionment and Redistricting on the Internet

✧ Nevada Legislature's Internet Website

www.leg.state.nv.us

(Research Division – District Information [2001])

(Interim Study on Reapportionment & Redistricting)

(76th Session [2011])

✧ National Conference of State Legislatures

www.ncsl.org

("Legislatures & Elections" tab)

Please Feel Free to Contact Us

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Questions?



Committee to Study the Requirements for Reapportionment and Redistricting

Following each decennial census, the Nevada Legislature is responsible for reapportioning and redistricting the Districts of the Nevada State Senate and Assembly, Nevada's Districts in the United States House of Representatives, and the Districts of the Nevada System of Higher Education Board of Regents and the State Board of Education. The Legislature engages in this important task during the first session following the census (1991, 2001, 2011, 2021, et cetera). In preparation for reapportionment and redistricting, the Legislature has, since 1980, conducted an "interim study" immediately prior to the legislative session to discuss the process of redrawing the district boundaries and "set the stage" for the next round of reapportionment and redistricting.

During the 2009 Legislative Session, the Nevada Legislature enacted Assembly Concurrent Resolution No. 19 (File No. 76, *Statutes of Nevada*), which directs the Legislative Commission to study the requirements for reapportionment and redistricting in conjunction with the data from the decennial census of 2010. The study must include: (1) an examination and monitoring of any redistricting systems, including the requirements for computer equipment, computer software, and the training of personnel; (2) a review of the case law and programs concerning planning for reapportionment and redistricting in other states; and (3) continuation of the State's participation in programs of the Bureau of the Census, including the program to increase the awareness of the general public concerning the census to ensure a complete and accurate count of all Nevadans in the year 2010. In September 2009, the Legislative Commission appointed Assemblyman Tick Segerblom as Chair of the Committee and Senator Steven A. Horsford, Vice Chair. Other members of the Committee include Senators John J. Lee, Mike McGinness, William J. Raggio, and Joyce Woodhouse, and Assembly members Heidi S. Gansert, John Ocegüera, and Debbie Smith.

Committee Members

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Senator
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Vice Chair



Senator
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Assemblywoman
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REAPPORTIONMENT AND REDISTRICTING

Key Issues That May be Discussed by the Committee to Study the Requirements for Reapportionment and Redistricting

Among other things, the interim study committee on reapportionment and redistricting will likely discuss the following:

- The detailed census information for each Nevada county, all the way down to the precinct and census block levels, will be released to the State of Nevada no later than April 1, 2011. This leaves the Legislature with only about ten weeks—through June 6, 2011—within which to reapportion and redistrict the State and complete all of its other business.
- Based on current projections of Nevada's State Demographer, Nevada's population as of July 1, 2008, was over 2.7 million (compared to nearly 2 million in April 2000). Clark County's growth has continuously been the greatest among all counties; however, Nevada's rate of growth has slowed somewhat in recent years and such population fluctuations could impact reapportionment and redistricting plans. By 2010, it is estimated that nearly 2.15 million of the projected 2.96 million Nevadans will live in Clark County, which is approximately 73 percent of the State total. In 1990, Clark County represented 61.7 percent of the State total. In 2000, Clark County represented 68.5 percent of the State total.
- Currently, 14 of the 21 Senators and 29 of the 42 members of the Assembly represent districts wholly within Clark County. Two Senate districts (Clark No. 5 and Clark No. 7) are "multi-member" districts having two Senators each. One Senate district includes a portion of northern Clark County and several other rural Nevada counties. If legislative seats are not added during the 2011 Legislative Session, Clark County will gain seats in the Senate and Assembly. Of course, this will cause a requisite loss of Senate and Assembly seats in northern and rural Nevada.
- Alternatively, the Legislature could decide to expand its size to a point somewhere between the current composition of 63 members and the maximum possible membership of 75 (Article 15, Section 6, of the *Nevada Constitution*). Therefore, if the 2011 Legislature votes to expand the size of the Assembly to 46 members, the maximum size of the Senate will be 23. Using this same ratio, the Assembly could expand up to 50 members, with Senate membership increased to 25.
- When the Legislature redistricted in 1991, the average population in a single-member Senate district was 57,230. The average Assembly district population was one-half that number at 28,615. The 2001 round of redistricting

resulted in an average population of single-member Senate districts of 95,155. The average Assembly district population is one-half that number at 47,578. Depending on the number of seats selected for each house, when the Legislature redistricts the State in 2011, the average Senate and Assembly district will increase in size proportionally.

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Reapportionment vs. Redistricting—What Is the Difference?

The terms "reapportionment" and "redistricting" may need some clarification. In general usage, court decisions, and legislative literature, the terms "apportionment," "reapportionment," and "redistricting" often are regarded as synonymous. However, there are subtle distinctions between these terms.

"Apportionment," in the purest sense, is the division of a given number of elected members among established political subdivisions in accordance with an existing plan or formula. For example, the 435 members of the United States House of Representatives are "apportioned" under the Apportionment Clause of the *U.S. Constitution* among the 50 states under a formula established by Congress. Every ten years, the 435 members of the House are "reapportioned" among the states because of changes in the respective populations of the states as determined by the decennial census. In other words, the terms "apportionment" and "reapportionment" refer to the allocation of seats among units, such as the states, for the House of Representatives or, in the case of the Nevada Legislature's efforts in 2001, the allocation of some existing legislative districts from northern Nevada to southern Nevada.

Meanwhile, "redistricting" is the division of existing districts into new districts with different boundaries. Thus, states with more than one member of the House of Representatives "redistrict" their "apportionment" of representatives into new districts to achieve equal population. In short, "redistricting" pertains to redrawing lines for election districts. During the 2001 Legislative Session, the Legislature "redistricted" itself by adjusting the boundaries of each of its 42 Assembly districts and 21 Senate districts.

The Basics of Reapportionment and Redistricting

Every ten years, following the Federal Census, the Nevada State Legislature is responsible for reapportioning and redistricting the districts for:

- The United States House of Representatives;
- The Nevada State Senate;
- The Nevada State Assembly;
- The Nevada System of Higher Education Board of Regents; and
- The State Board of Education.

Nevada has adequate population to gain a fourth congressional seat and, therefore, the Legislature must divide the State's population as nearly as practicable into fourths for these four members of the U.S. House of Representatives.

United States Constitutional Requirements

Article 1, Section 2, of the *United States Constitution* provides that congressional representatives shall be apportioned among the several states according to their respective numbers. On the basis of this provision, the U.S. Supreme Court has held that the population of congressional districts must be "as nearly equal as practicable." Any population deviation among congressional districts within Nevada, no matter how small, could render a reapportionment plan unconstitutional if an alternative plan with a smaller population deviation could have been adopted. The 2001 reapportionment and redistricting plan for Nevada's congressional seats represented a standard deviation of 0.00 percent, with an overall deviation of six (four residents below and two residents above the ideal population of 686,086).

In addition, the Equal Protection Clause of the Fourteenth Amendment to the *U.S. Constitution* is the basis for the equal population requirement for state legislative districts. A redistricting plan can withstand a constitutional challenge if it only has minor deviations in population among districts. The U.S. Supreme Court has indicated that a legislative redistricting plan with a maximum deviation under 10 percent likely would fall within the "minor deviations" category. However, the Legislature should not assume that any legislative redistricting plan having up to a 10 percent overall deviation is safe from successful challenge. Such a plan could be struck down if a challenge were to succeed based on some other legal requirement. The overall deviation between the largest and smallest Nevada Senate districts in 2001 was 9.91 percent (4.93 percent positive deviation and 4.98 percent negative deviation), while the overall deviation in the Nevada Assembly was 1.97 percent (1.07 percent positive deviation and 0.90 percent negative deviation).

Future issues of the *Reapportionment and Redistricting Newsletter* will feature reviews of the legal requirements and parameters for reapportionment and redistricting, to include the impact of the Voting Rights Act of 1965 (42 U.S.C. § 1973) and the legal factors associated with drawing minority districts. Finally, additional

discussion will also focus on criteria recognized by the courts as “traditional redistricting principles.” These criteria include:

- Compactness of districts;
- Contiguity;
- Preservation of political subdivisions (e.g., counties and cities);
- Preservation of communities of interest;
- Preservation of cores of prior districts;
- Protection of incumbents; and
- Compliance with Section 2 of the Voting Rights Act of 1965.

Nevada Constitutional Requirements

Several provisions of the *Constitution of the State of Nevada* relate directly to the method of reapportionment used in this state:

- Section 13, Article 1 of the *Constitution of the State of Nevada* requires representation to be apportioned according to population. The purpose of this section is to secure to each citizen equal representation in the making of the laws of this state.
- Section 5, Article 4 of the *Constitution of the State of Nevada* requires that, after each decennial census of the United States, the Legislature shall fix by law the number of Senators and Assembly members and apportion them among legislative districts established by statute, according to the number of inhabitants in them respectively.
- Section 6, Article 15 of the *Constitution of the State of Nevada* provides that the aggregate number of members of both branches of the Legislature must never exceed 75. Section 5, Article 4 requires that the number of senators shall not be less than one third nor more than one-half of the number of Assembly members.
- Section 13, Article 15 of the *Constitution of the State of Nevada* provides that the census taken under the direction of Congress every ten years shall serve as the basis of representation in both houses of the Legislature.

In 1971, Nevada’s Attorney General interpreted the provisions of Section 5, Article 4 of the *Constitution of the State of Nevada* and indicated that the Legislature must reapportion at the first regular session following each decennial census, provided it deems that the data available at that time is sufficiently definitive to provide the basis for reapportionment in compliance with the “one person, one vote” principle. Otherwise, reapportionment must be accomplished at a special session to be called after the necessary data is available.

Reapportionment and Redistricting News

This newsletter is the first of several that will be published by the Legislative Counsel Bureau (LCB) in 2010 and 2011. Similar newsletters were produced in 1990-1991 and 1999-2001 (Volume 1). The 2010-2011 newsletters (Volume 2) will feature information regarding Nevada’s reapportionment and redistricting process, summaries of interim study committee activities, overviews of relevant Census 2010 data, and other pertinent information. Copies of the newsletters will be posted on the Internet website for the Legislative Commission’s Committee to Study the Requirements for Reapportionment and Redistricting at www.leg.state.nv.us/Interim/75th2009/Committee/Studies/Redistrict/?ID=57.

Please contact Michael J. Stewart, Supervising Principal Research Analyst, Research Division, LCB, at (775) 684-6825 with any questions or suggestions concerning the newsletter. Additional information regarding reapportionment and redistricting can be found at the Committee’s Internet website or on the National Conference of State Legislatures’ (NCSL’s) Internet website (www.ncsl.org) under the “Legislatures & Elections” tab.



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Committee to Study the Requirements for Reapportionment and Redistricting Holds Its First Two Meetings

The Legislative Commission's Committee to Study the Requirements for Reapportionment and Redistricting held its first meeting on February 12 and its second meeting on May 17. At its February meeting, the Committee discussed numerous issues and heard a presentation by Secretary of State Ross Miller concerning Nevada's efforts to promote participation in the 2010 Census. David A. Byerman, the Chief Government Liaison for Nevada, United States Department of Commerce, also provided an overview of the census process, a discussion of job opportunities and economic stimulus in connection with the Census, the timeline for delivering reapportionment numbers to the President, the cost of a census undercount, the importance of early organization, and a status report on the statewide outreach campaign and local campaigns. In addition, the Committee received an update on the Phase II Voting District/Block Boundary Suggestion Project from Kathy L. Steinle, GIS Specialist, Information Technology Services (ITS) Unit of the Legislative Counsel Bureau (LCB). Finally, a review of the basics of reapportionment and an update on the reapportionment newsletter was provided by Michael J. Stewart, Supervising Principal Research Analyst, Research Division, LCB.

During its second meeting in May, the Committee received a status report on the decennial census from Mr. Byerman and another update from Ms. Steinle on the Phase II Voting District/Block Boundary Suggestion Project. Ms. Steinle was joined by Eric Dugger, Network Support Manager, ITS Unit, LCB, in presenting the Committee with several options for redistricting software and reviewing what hardware will be necessary for the 2011 Legislative

Session, such as plotters and printers, as well as personal computers to be used at public workstations. The Committee then considered recommendations concerning the acquisition of the redistricting hardware and software. This newsletter highlights some of the Committee's discussion during the first two meetings with particular focus on census activities.

Census Update

At both Committee meetings, the Committee heard updates from Mr. Byerman on the 2010 Decennial Census, who discussed, among other things, census preparation, timelines and key deadlines, economic benefits and impacts, participation rates, and post-census follow up. Mr. Byerman noted that the census benefits Nevada by increasing Nevada's political influence through additional representation in Congress and electoral votes, and by creating jobs and economic stimulus. He indicated that Nevada is in a position to gain a fourth congressional seat as a result of the 2010 Census, and therefore, a sixth electoral vote for the 2012, 2016, and 2020 Presidential elections. The Census Bureau also hired approximately 4,800 people throughout Nevada, opened four census offices from May 1 through July 10, 2010, as well as 250 "questionnaire assistance centers" in April. Approximately 35,000 people were tested for the 4,800 positions, the majority of whom filled jobs as enumerators.



Response Rates and Follow-Up Activities

Mr. Byerman noted that overall the Census response rate was quite good. Nevada "held the line" for Census response compared to 2000 under some very challenging economic and social scenarios, Byerman explained. Nevada's housing and foreclosure crisis, for example, has been a significant obstacle in achieving accurate counts because of the number of vacant homes and a variety of living situations across Nevada. The "mail participation rate" is the percentage of forms mailed back by households that received them. The Census Bureau developed this new measure in 2010, in part because of the current economy and higher rates of vacant housing. The rate excludes households whose forms were returned

Join us for the next meeting of the Committee to Study the Requirements for Reapportionment and Redistricting to be held at 9 a.m. on July 21, 2010, in Room 4401 of the Grant Sawyer State Office Building (555 East Washington Avenue) in Las Vegas and videoconferenced to Room 2135 of the Legislative Building in Carson City. For more information please visit the Committee's website at <http://www.leg.state.nv.us/Interim/75th2009/Committee/Studies/Redistrict/index.cfm?ID=57>.

REAPPORTIONMENT AND REDISTRICTING

to the Census Bureau by the U.S. Postal Service as “undeliverable,” strongly suggesting the house was vacant. Any missed addresses or households that did not respond to the initial questionnaire were visited by an enumerator by July 10, 2010, to ensure that everyone was counted. The mail participation rate for Nevada as a whole was 69 percent, equal to the participation rate in 2000. Nationwide, the mail participation rate was 72 percent. Mr. Byerman noted that, when comparing the 2000 and 2010 mail participation rates, increased participation was observed in northern Nevada and rural counties in northwest Nevada; Clark County’s participation was comparable to 2000; and central and eastern Nevada rural counties showed a decline in participation.

The Census Bureau is concerned about fraudulent activities and notes that, when conducting follow-up door-to-door visits, legitimate census employees (enumerators) will always: (1) carry a canvass bag with a Census Bureau logo; (2) display a census placard in their vehicle; (3) wear an enumerator badge; and (4) carry photo identification. The Census Bureau will never ask for Social Security numbers or bank account numbers.

Statewide and Local Campaigns Encouraging Census Participation and Impact of Undercount

Both Secretary of State Ross Miller and Mr. Byerman reported on statewide efforts to promote participation in the census. Most of the funding for the statewide effort was approved by the Interim Finance Committee (IFC) in September 2009. The IFC approved \$961,055 to fund the State’s census outreach activities. Of these funds, \$265,816 was obligated to Web Shandwick and the Ferraro Group for coordinating the outreach campaign, while \$265,816 was designated for advertising and \$75,000 for radio outreach. The key messaging tactics used focused on the importance of the census to Nevada, the ease of filling out the census form (“10 Questions, 10 Minutes”), and the fact that census information is confidential and safe.

Mail Participation Rates for Nevada 2010 vs. 2000 Census		
County	2010 Mail Participation Rate	2000 Mail Participation Rate
Carson City	79%	79%
Churchill	79%	70%
Clark	67%	68%
Douglas	72%	68%
Elko	61%	66%
Esmeralda	32%	n/a
Eureka	39%	48%
Humboldt	68%	66%
Lander	56%	54%
Lincoln	53%	65%
Lyon	79%	67%
Mineral	54%	56%
Nye	56%	13%
Pershing	58%	56%
Storey	84%	64%
Washoe	74%	71%
White Pine	55%	56%
Nevada (Total)	69%	69%
Source: U.S. Census Bureau’s “Take 10” Map		

Nevada’s Complete Count Campaign included “complete count committees” at the statewide level as well as in southern Nevada, Washoe County, the Carson/Douglas County region, Elko County, and the Pahrump/Nye County region. Over 1,500 organizations officially partnered with the Census Bureau to communicate the importance of the census to Nevada. Mr. Byerman explained that strong participation from both the public and private sectors included:

(1) a series of promotional videos produced by KLVX Channel 10 that ran on YouTube, as well as a one-hour live telephone call-in program in which a variety of community leaders participated to encourage people to take part in the census process; (2) messages from the MGM Mirage, a major partner in the 2010 Census campaign, encouraging participation in the census to its 60,000 employees; and (3) coordinated events by the City of Reno, City of Sparks, and Storey County with the local complete count committees in areas where the Census Bureau had difficulty obtaining responses.

Secretary Miller and Mr. Byerman stressed the importance of the outreach campaign and the impact even one missed person (or undercount) could have on Nevada. Based on federal per capita spending data, each person not counted during the 2010 Census could cost Nevada \$917 per person, per year in federal funding. Over a ten-year period, this amounts to over \$9,000 in potential federal funding for each uncounted person. Mr. Byerman illustrated for the Committee a scenario applying the official undercounts from the 1990 (2.3 percent) and 2000 (1.68 percent) Censuses to the \$917 per person undercount. If the undercount for Nevada is 1.68 percent in 2010, it would equate to 47,066 uncounted Nevadans with a potential annual economic impact of \$43.2 million. Meanwhile, if the undercount in 2010 is the same as in 1990—2.3 percent—64,436 Nevadans would be missed by the census and could potentially cost Nevada \$59.1 million in annual per capita federal funding.

The American Community Survey—What Is It?

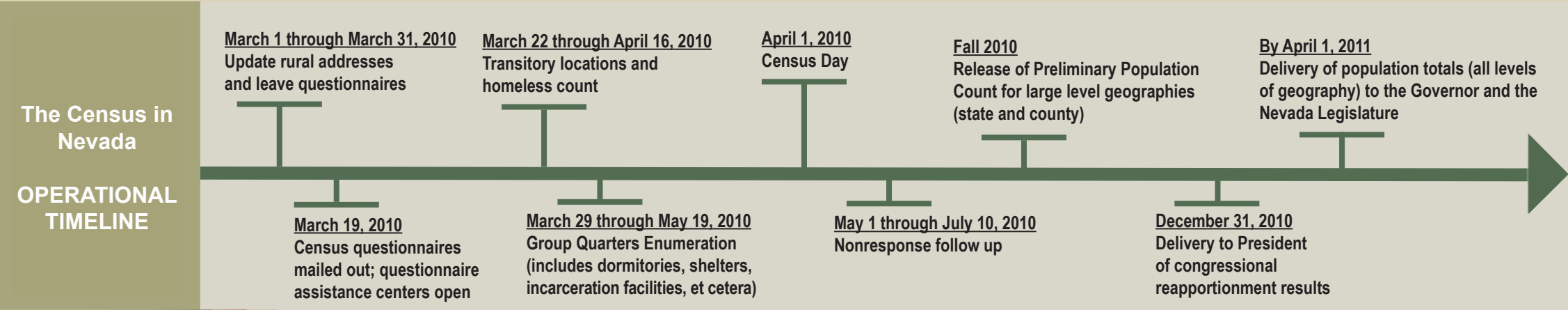
Many Nevadans have asked why they did not receive the Census Bureau’s “long form” as part of the 2010 Decennial Census. Launched in 2005, the American Community Survey (ACS) is part of the census program and is essentially what used to be the long form. Data from the ACS is collected continuously throughout the year and throughout the decade from a relatively small sample of the population (3 million addresses annually). During the decennial

census program, about 250,000 households a month will receive both the ACS and the 2010 Census form. The ACS collects detailed information on the characteristics of population and housing on an ongoing basis. This data was previously collected only in census years in conjunction with the decennial census. During Census 2000, the Census Bureau asked for this detailed information from one in every six addresses using the long form. The ACS questionnaire collects nearly the same information and is sent to approximately the same number of addresses over a five-year period. However, since the ACS is conducted every year, rather than once every ten years, it provides more current data throughout the decade. Like the 2010 Census, participation in the ACS is mandatory by law and the American public’s participation is critical to provide data that impacts policy decisions on the local, state, and federal level.

Phase II: Voting District/Block Boundary Suggestion Project (VTD/BBSP)

Phase II VTD/BBSP is the second of five phases of the 2010 Census Redistricting Data Program authorized by Public Law 94-171, which was enacted by Congress in 1975. This law requires the Census Bureau to provide state legislatures with small area census population tabulations necessary for legislative redistricting. Most states, including Nevada, conduct reapportionment using precinct-level data, and this program allows states to submit precinct/voting district boundaries and codes to the Census Bureau and suggest other features so they can be assigned as census tabulation blocks for the 2010 Census. When final tabulations are released by the Census Bureau, population statistics will be available at the precinct level. Staff of the Legislative Counsel Bureau worked with all 17 counties in Nevada to ensure that accurate precinct maps and descriptions were submitted to the Census Bureau by the May 1, 2009, deadline. The verification phase of the VTD/BBSP began in February 2010 and was completed by LCB staff on March 29, 2010.

Phase III of the Redistricting Data Program involves the delivery (no later than April 1, 2011) of all available geographic products and population totals necessary for reapportionment and redistricting. The Census Bureau must then collect state legislative and congressional district plans as part of Phase IV and provide them to the U.S. Postal Service, the Department of Justice, and Congress. Finally, Phase V allows the states to conduct a review documenting the actions of the Census Bureau in their efforts to meet the Public Law 94-171 requirements.



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Chair**



**Senator
Steven A. Horsford (D)
Vice Chair**



**Senator
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**Assemblywoman
Heidi S. Gansert (R)**



**Senator
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**Senator
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**Assemblywoman
Debbie Smith (D)**



Senator Joyce Woodhouse (D)

Reapportionment and Redistricting News

This newsletter is the second of several that will be published by the Legislative Counsel Bureau (LCB) in 2010 and 2011. Similar newsletters were produced in 1990-1991 and 1999-2001 (Volume 1). The 2010-2011 newsletters (Volume 2) will feature information regarding Nevada's reapportionment and redistricting process, summaries of interim study committee activities, overviews of relevant Census 2010 data, and other pertinent information. Copies of the newsletters will be posted on the website for the Legislative Commission's Committee to Study the Requirements for Reapportionment and Redistricting at <http://www.leg.state.nv.us/Interim/75th2009/Committee/Studies/Redistrict/?ID=57>.

Please contact Michael J. Stewart, Supervising Principal Research Analyst, Research Division, LCB, at (775) 684-6825 with any questions or suggestions concerning the newsletter. Additional information regarding reapportionment and redistricting can be found at the Committee's website or on the National Conference of State Legislatures' website (<http://www.ncsl.org>) under the "Legislatures & Elections" tab.

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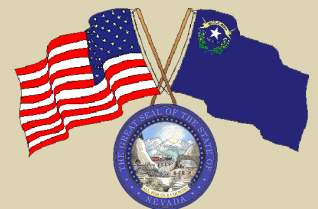
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PREPARATIONS WITH THE CENSUS BUREAU

Issue Briefing on Reapportionment and Redistricting

December 7, 2010

Throughout the past several redistricting cycles, staff members of the Legislative Counsel Bureau (LCB) have worked with the United States Census Bureau in preparation for redistricting through its Voting Tabulation District/Block Boundary Suggestion Project (VTD/BBSP). This five phase project was authorized by Public Law 94-171, which was enacted by Congress in 1975.

This law requires the Census Bureau to provide state legislatures with small area census population tabulations necessary for legislative redistricting. Most states, including Nevada, conduct reapportionment using precinct-level data, and this program allows states to submit precinct/voting district boundaries and codes to the Census Bureau and suggest other features so they can be assigned as census tabulation blocks for the 2010 Census. When final tabulations are released by the Census Bureau, population statistics will be available at the precinct level.

Precincts and Boundaries

The first phase of the project allowed states to suggest block boundaries for the Census Bureau to hold, which in most cases were the features and boundaries that correspond to the precinct boundaries established by county clerks and registrars throughout the State.

Phase II of the VTD/BBSP allowed states to submit their actual precinct boundaries to the Census Bureau for recording in the geographic database and the compilation of population statistics. Staff of the LCB worked with all 17 counties in Nevada to ensure that accurate precinct maps and descriptions were submitted to the Census Bureau by the May 1, 2009, deadline. The verification phase of the VTD/BBSP began in February 2010 and was completed by LCB staff on March 29, 2010.

Data Delivery

Phase III of the Redistricting Data Program involves the delivery to the states, no later than April 1, 2011, of all available geographic products and population totals necessary for reapportionment and redistricting. Nevada has previously, and will again, formally request priority in receiving its data because of the constitutional duty of the Legislature to apportion

itself at its first session after the taking of the decennial census, and because of the limited length (since 1999) of legislative sessions.

In 1991, the detailed census redistricting file was received on February 7. Due to the advent of computer mapping and new redistricting applications, the population and geographic databases had to be validated by a contractor to ensure they matched correctly. This process took time and the Legislature's redistricting application was not ready for the development of plans until March 24, 1991.

In 2001, the detailed census data was received on March 13 and, due to many technological improvements throughout the decade, the Legislature's redistricting application was ready to draw plans within 24 hours. In 2011, the Legislature is using the same redistricting program, with further enhancements, and LCB staff expect delivery of the census data again in early to mid-March when it will be almost immediately available for the development of plans.

Census Block and Precinct Numbers

When the detailed census data is received in 2011, Nevada will have approximately 62,000 census blocks, and about 2,200 voting districts, or precincts, statewide. Of those precincts, about 1,300 are located in Clark County, with more than 600 in Washoe County.

By comparison, in 2001 the State had 60,800 blocks and 1,291 precincts.

After Redistricting

The Census Bureau must then collect state legislative and congressional district plans as part of Phase IV and provide them to the U.S. Postal Service, the Department of Justice, and Congress. Finally, Phase V allows the states to conduct a review documenting the actions of the Census Bureau in their efforts to meet the Public Law 94-171 requirements.

Submitted by:

Brian Davie, Legislative Services Officer

Las Vegas Office, Legislative Counsel Bureau

AVAILABLE COMPUTER TECHNOLOGY AND IT SUPPORT

Issue Briefing on Reapportionment and Redistricting

December 7, 2010

During the last two redistricting cycles, Information Technology Services (ITS) staff has provided hardware, software and technical support to the Nevada Legislature. During the 2011 Legislative Session, ITS will again provide support to the four caucuses, the designated redistricting committees in each house, individual legislators, and the public.

Hardware & Software Support

Four Dell Latitude laptops, with docking stations and 24" monitors, have been purchased for use during the redistricting effort. The laptops will enable staff to display and actively work on redistricting plans from any location: their office, the caucus' conference room, or a legislator's office. To help with presentations in a larger group setting, we also have portable projectors available that easily connect to the laptops. For map printing, each laptop has a large desktop plotter that can print 24" x 36" wide maps. For the larger 36" x 46" presentation maps, we have two large-format plotters available in ITS.

Each laptop has Geographic Information System (GIS) software installed: ESRI's ArcGIS software, in addition to Citygate GIS's autoBound for Redistricting software extension. This software will enable us to create various redistricting plans and scenarios in a highly customizable, secure environment.

The database will contain the Census Bureau's 2010 PL94-171 population data, along with various election and voter registration numbers. This data includes total population, racial, Hispanic and voting age statistics.

Staff Support

ITS hired four Geographic Information System (GIS) professionals to assist each of the caucuses with their redistricting tasks. Each staff person is highly technical, possesses an array of GIS experience and is able to provide any technical assistance needed, including software training and guidance, redistricting plan modifications, table and chart production, and map creation.

In addition to the four GIS professionals, two permanent LCB employees, one in Las Vegas and one in Carson City, are managing the redistricting effort.

Public Redistricting Workstations

In addition to the four redistricting laptops for the GIS staff, there are two Public Redistricting Workstations available for any member of the public to draw redistricting plans. The workstations contain the same software and data that is on each of the laptops. The GIS staff will assist constituents in using the software and hardware, including training, if desired.

One workstation is available in our Las Vegas office and one is located in the legislative building in Carson City.

After Redistricting

After the conclusion of the 2011 Redistricting effort, we will invite each county to use either of our Public Redistricting Workstations for their own redistricting efforts. We anticipate several rural counties to accept this offer since they may not have GIS technology.

The counties are welcome to redistrict any of their local government boundaries, including county commissioner districts, school board districts, etc. LCB staff will provide training and any support they need to complete their redistricting plans.

Submitted by:

Kathy Steinle, GIS Manager

Information Technology Services, Legislative Counsel Bureau



LEGAL PRINCIPLES GOVERNING REDISTRICTING

**Eileen G. O'Grady, Chief Deputy Legislative Counsel
Kristin C. Roberts, Senior Principal Deputy Legislative Counsel
Legal Division, Legislative Counsel Bureau
December 7, 2010**

LEGAL PARAMETERS

- United States Constitution
- Nevada Constitution
- Federal and State Law
- Court decisions



PRIMARY FEDERAL PROTECTIONS

- Equal population
- Equitable treatment of minorities

EQUAL POPULATION

Measures

- Ideal population – total state population divided by the total number of districts
- Population deviation – degree by which a single district's population differs from the ideal
- Overall range – the population deviation from the smallest district to the largest district
 - Example: Assume that the ideal population is 100,000 people. If the largest district is 102,000 (+ 2%) and the smallest district is 99,000 (- 1%), the overall range of deviation is 3%

EQUAL POPULATION

Sources

- Congress: Representatives are required to be apportioned among the several states according to their respective numbers. (U.S. Const. Art. 1, sec. 2)
- State Legislative Districts: The equal population requirement results from the application of the Equal Protection Clause (U.S. Const., Amend. 14)

“One person-one vote”

EQUAL POPULATION Standards

- Two different standards are applied by the Courts:
 - Strict Equality for Congressional Districts
 - Flexibility for State Legislative Districts

EQUAL POPULATION

Congress

- Congressional district populations must be “as nearly equal as practicable” (almost exact mathematical equality) – even minute deviations are legally significant
- Effect: Any population deviation could render plan unconstitutional

EQUAL POPULATION

Congress

- If the plaintiffs can show that a plan with a smaller range could have been drawn, the burden is on the state to demonstrate with some specificity that the deviation was necessary to achieve a legitimate purpose
- Legitimate purposes recognized by the U.S. Supreme Court:
 - Avoiding contests between incumbents
 - Making districts compact
 - Preserving the core of prior districts
 - Respecting municipal boundaries

EQUAL POPULATION

Congress

- The bottom-line: If a congressional plan does not have exact mathematical equality, do not assume that a plan with a smaller range of population deviation cannot be drawn

EQUAL POPULATION

State Legislatures

- “Substantial equality of population”
 - Minor deviations in the overall range of population do not create a *prima facie* case of discrimination
- A deviation of 10% or less constitutes a “minor deviation” which does not create a *prima facie* case
- 10% was dubbed as a “safe harbor” of plus or minus 5% from the ideal district size

EQUAL POPULATION

State Legislatures

- In 2004, a federal district court struck down two Georgia plans where the overall range for each was 9.98% (Larios v. Cox)
 - Plan drafters assumed 10% was a safe harbor and that plans were immune from challenge within the 10% range
 - Court found that the drafters were primarily concerned with protecting rural areas and incumbents rather than reliance on traditional districting principles

EQUAL POPULATION

State Legislatures

■ Lessons from Larios:

- 10% is not necessarily a safe harbor if it can be shown that the drafters of the plan did not rely on traditional districting principles
- Articulate clear goals for a plan using traditional districting principles

EQUAL POPULATION

State Legislatures

- A deviation of over 10% establishes a *prima facie* case of discrimination and burden of proof shifts to the State to justify the deviation
- State must show:
 - Deviation was necessary to implement a rational state policy
 - Plan does not dilute or take away the voting strength of any particular group

EQUAL POPULATION

State Legislatures

- The only rational state policy currently recognized by the U.S. Supreme Court is preserving established political subdivisions
- Lower courts have also recognized traditional districting principles as a rational state policy

RACIAL & LANGUAGE MINORITIES

Sources

- U.S. Const., Amend. 14: Guarantees all persons equal protection and due process under the law
- U.S. Const., Amend. 15: Prohibits the denial or abridgement of a citizens' right to vote on account of race or color
 - Discriminatory purpose AND discriminatory effects are both necessary elements of a successful challenge under the 14th and 15th Amendments
- Voting Rights Act of 1965
 - Discriminatory effects only

RACIAL & LANGUAGE MINORITIES

Section 2 of the Voting Rights Act

- Prohibits a state from imposing any electoral practice or procedure that results in the denial or abridgement of any citizen's right to vote on account of race, color or membership in a minority language group (American Indian, Asian American, Alaskan Natives or of Spanish Heritage)
 - “Results Test” - proof of intent to discriminate is not required
- Enacted to prohibit “minority vote dilution” – the minimization or canceling out of minority voting strength

RACIAL & LANGUAGE MINORITIES

Section 2 of the Voting Rights Act

- Based on the totality of the circumstances, it is shown as a result of the challenged practice or procedure members of a protected minority have less opportunity to participate in the political process and to elect representatives of their choice
- Does not establish a right to have members of a protected class elected in numbers equal to their proportion in the population

RACIAL & LANGUAGE MINORITIES

Section 2 of the Voting Rights Act

- Multimember districts
- “Packing”: concentrating a minority population into one or more districts so the population constitutes a “supermajority”
 - Effect: minimizes the number of seats that the minority population can win
- “Fracturing”: dispersing the minority population among districts
 - Effect: keeps as a minority in every district

RACIAL & LANGUAGE MINORITIES

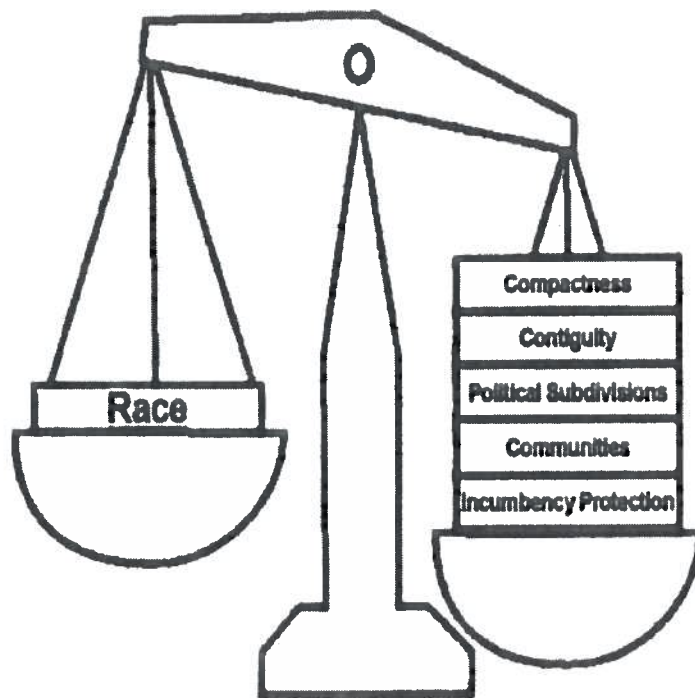
Racial Gerrymandering

- Occurs when:
 - Race is the dominant and controlling rationale in drawing district boundaries
 - The Legislature subordinates traditional race-neutral districting principles to racial considerations
 - No compelling state interest and the district is not narrowly tailored to achieve that interest
- Bottom Line: Race can play a role in the redistricting process - as long as it is only one factor alongside, and does not subordinate, traditional race-neutral districting principles and political considerations

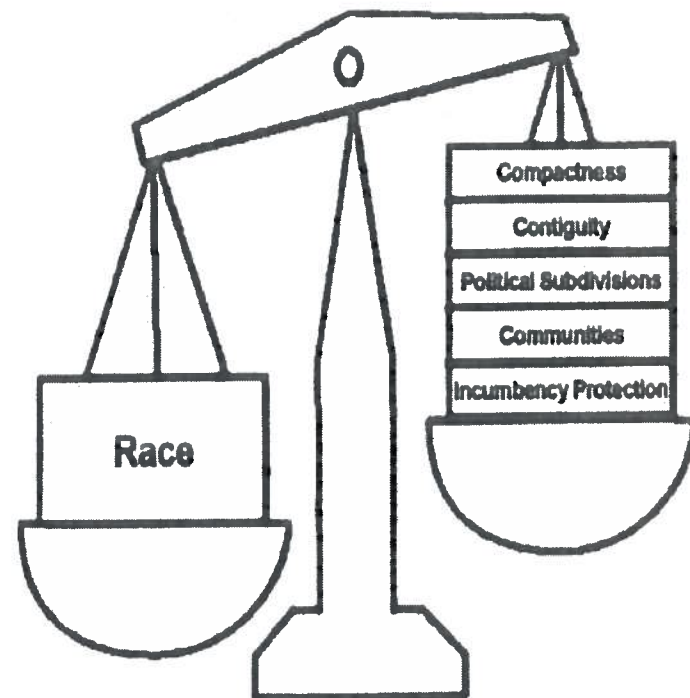
RACIAL & LANGUAGE MINORITIES

Racial Gerrymandering

Constitutional



Presumptively Unconstitutional



Source: The Realist's Guide to Redistricting (2d ed. 2010)

TRADITIONAL DISTRICTING PRINCIPLES

- Compactness
- Contiguity
- Preservation of political subdivisions
- Preservation of communities of interest
- Preservation of cores of prior districts
- Protection of incumbents
- Compliance with section 2 of the Voting Rights Act

Texas

Congressional District 30 - 1992

29

Texas

Congressional District 30 - 1996

30

Texas

Congressional District 18 - 1992

A map of Texas with Congressional District 18 highlighted in a lighter shade. The district is located in the central part of the state, covering areas around Austin and San Antonio.

Texas

Congressional District 18 - 1996

A map of Texas with Congressional District 18 highlighted in a lighter shade. The district's boundaries have changed since 1992, now covering a larger area in the central part of the state, including more of the Austin and San Antonio regions.

Texas

Congressional District 29 - 1992



33

Texas

Congressional District 29 - 1996



34

Louisiana

Congressional District 4 - 1992

35

Louisiana

Congressional District 4 - 1994

36

Louisiana

Congressional District 4 - 1996

37

Florida

Congressional District 3 - 1992

Florida

Congressional District 3 - 1996

Georgia

Congressional District 11 - 1992

Georgia

Congressional District 4 - 1996

North Carolina

Congressional District 12 - 1992

Election
Data
Services
Inc.

27

North Carolina

Congressional District 12 - 1997

40

North Carolina

Congressional District 12 - 1998

North Carolina

Congressional District 12 - 2000 (1997)

Illinois

Congressional District 4 - 1992

POLITICAL (PARTISAN) GERRYMANDERING

- Practice of drawing electoral district lines in such a way that one political party benefits and another is disadvantaged
- Justiciable
- Standard - ???
- It's inevitable -- "Politics and political considerations are inseparable from districting and apportionment" (Gaffney v. Cummings (1964))



MULTIMEMBER DISTRICTS

13 States including Nevada use multimember districts in at least one of their legislative bodies

State	State Houses						State Senates					
	Number of Districts		Number of Multimember Districts		Largest Number of Seats in a District		Number of Districts		Number of Multimember Districts		Largest Number of Seats in a District	
	1990s	2000s	1990s	2000s	1990s	2000s	1990s	2000s	1990s	2000s	1990s	2000s
Arizona	30	30	30	30	2	2						
Arkansas	97	100	2	0	3	1						
Idaho	35	35	35	35	2	2						
Maryland	63	65	44	44	3	3						
Nevada							16	19	5	2	2	2
New Hampshire	195	103	99	92	11	13						
New Jersey	40	40	40	40	2	2						
North Carolina	98	120	17	0	3	1	42	50	8	0	2	1
North Dakota	49	94	49	47	2	2						
South Dakota	35	37	35	33	2	2						
Vermont	108	108	42	42	2	2	13	13	10	10	6	6
Washington	49	49	49	49	2	2						
West Virginia	56	56	23	23	7	7	17	17	17	17	2	2

MULTIMEMBER DISTRICTS

- Federal law prohibits multimember districts for U.S. House seats
- The United States Supreme Court has ruled that use of multimember districts is not *per se* unconstitutional

NEVADA CONSTITUTION

- Art. 1, sec. 13: Representation apportioned according to population
- Art. 15, sec. 13: Census serves as basis of representation in both Houses
- Art. 4, sec. 5: Legislature is required to redistrict at first session after taking of census
 - U.S. House of Representatives, Legislature, Board of Regents, State Board of Education
- Art. 15, sec. 6: Aggregate number of Legislators limited to 75.
- Art. 4, sec. 5: Number of Senators not less than $\frac{1}{3}$, nor more than $\frac{1}{2}$, the number of Assembly members.

SUMMARY

- Equal population: almost exact mathematical equality for congressional districts; more flexibility for legislative districts but 10% deviation is not a safe harbor
- Equitable treatment of minorities: Compliance with section 2 of the Voting Rights Act; avoid racial gerrymander
- Remote possibility of partisan gerrymandering claim
- Nevada Constitution



GO

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Redistricting 2000 Population Deviation Table

	2000 Congressional Plan			2000 State House Plan		2000 State Senate Plan	
	Ideal District Size	Percent Overall Range	Overall Range (# of people)	Ideal District Size	Percent Overall Range	Ideal District Size	Percent Overall Range
Alabama	636,300	0.00%	0	42,353	9.93%	127,060	9.73%
Alaska	N/A	N/A	N/A	15,673	9.96%	31,346	9.32%
Arizona	641,329	0.00%	0	171,021	3.79%	171,021	3.79%
Arkansas	668,350	0.04%	303	26,734	9.87%	76,383	9.81%
California	639,088	0.00%	1	423,395	0.00%	846,791	0.00%
Colorado	614,465	0.00%	2	66,173	4.88%	122,863	4.95%
Connecticut	681,113	0.00%	0	22,553	9.20%	94,599	8.03%
Delaware	N/A	N/A	N/A	19,112	9.98%	37,314	9.96%
Florida	639,295	0.00%	1	133,186	2.79%	399,559	0.03%
Georgia	629,727	0.01%	72	45,480	1.96%	146,187	1.94%
Hawaii	605,769	0.32%	1,899	22,833	20.1%	46,579	38.9%
Idaho	646,977	0.60%	3,595	36,970	9.70%	36,970	9.70%
Illinois	653,647	0.00%	0	105,248	0.00%	210,496	0.00%
Indiana	675,609	0.02%	102	60,805	1.92%	121,610	3.80%
Iowa	585,265	0.02%	134	29,263	1.89%	58,526	1.46%
Kansas	672,105	0.00%	33	21,378	9.95%	66,806	9.27%
Kentucky	673,628	0.00%	2	40,418	10.00%	106,362	9.53%
Louisiana	638,425	0.04%	240	42,561	9.88%	114,589	9.95%
Maine	637,462	0.00%	23	8,443	9.33%	36,426	3.57%
Maryland	662,061	0.00%	2	37,564	9.89%	112,691	9.91%
Massachusetts	634,910	0.39%	2476	39,682	9.68%	158,727	9.33%
Michigan	662,563	0.00%	1	90,350	9.92%	261,538	9.92%
Minnesota	614,935	0.00%	1	36,713	1.56%	73,425	1.35%
Mississippi	711,165	0.00%	10	23,317	9.98%	54,705	9.30%
Missouri	621,690	0.00%	1	34,326	6.08%	164,565	6.81%
Montana	N/A	N/A	N/A	9,022	9.85%	18,044	9.82%
Nebraska	570,421	0.00%	0	N/A	N/A	34,924	9.21%
Nevada	666,086	0.00%	6	47,578	1.97%	95,155	9.91%

New Hampshire	617,893	0.10%	636	3,089	9.26%	51,491	9.5%
New Jersey	647,257	0.00%	1	210,359	1.83%	210,359	1.83%
New Mexico	606,349	0.03%	166	25,986	9.70%	43,311	9.60%
New York	654,360	0.00%	1	126,510	9.43%	306,072	9.78%
North Carolina	619,178	0.00%	1	67,078	9.98%	160,986	9.96%
North Dakota	N/A	N/A	N/A	13,664	10.00%	13,664	10.00%
Ohio	630,730	0.00%	0	114,678	12.46%	344,035	8.81%
Oklahoma	690,131	0.00%	1	34,165	2.05%	71,889	4.71%
Oregon	684,280	0.00%	1	57,023	1.90%	114,047	1.77%
Pennsylvania	646,371	0.00%	1	60,498	5.54%	245,621	3.98%
Rhode Island	524,160	0.00%	6	13,978	9.88%	27,587	9.91%
South Carolina	668,669	0.00%	2	32,355	4.99%	87,218	9.87%
South Dakota	N/A	N/A	N/A	21,567	9.69%	21,567	9.69%
Tennessee	632,143	0.00%	5	57,467	9.99%	172,402	9.98%
Texas	651,619	0.00%	1	139,012	9.74%	672,639	9.71%
Utah	744,390	0.00%	1	29,776	8.00%	77,006	7.02%
Vermont	N/A	N/A	N/A	4,059	18.99%	20,234	14.28%
Virginia	643,501	0.00%	38	70,785	3.90%	176,963	4.00%
Washington	654,902	0.00%	7	120,288	0.30%	120,288	0.30%
West Virginia	602,781	0.22%	1,313	18,083	9.98%	106,374	10.92%
Wisconsin	670,459	0.00%	5	54,179	1.60%	162,536	0.98%
Wyoming	N/A	N/A	N/A	8,230	9.81%	16,459	9.51%

Note: This data is for plans passed using 2000 census figures.

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