Introduction

The second meeting of the Legislative Commission’s Committee on Reapportionment and Redistricting was held on January 19, 2000, in Las Vegas, Nevada, and was videoconferenced to Carson City, Nevada. The purpose of this second issue of the Redistricting News is to highlight some of the material presented to the Committee at the meeting. More detailed information concerning any topics discussed at the meeting may be obtained by contacting the Research Library of the Legislative Counsel Bureau (LCB) at 775-684-6827.

Census Bureau Continues Preparations for the 2000 Census

David A. Byerman, Chief Government Liaison for Nevada, U.S. Bureau of the Census, reported to members of the Committee on Reapportionment and Redistricting efforts of the U.S. Bureau of the Census to promote the 2000 Census. He explained that the Bureau is undertaking a national advertising campaign, to be augmented by a local promotional campaign, to encourage everyone to complete and return their Census forms by April 1, 2000.

Mr. Byerman stated that the Bureau will spend $167 million nationally in an attempt to encourage people to participate in the Census. He cited figures that indicated Nevada had one of the lowest initial response rates during the 1990 Census—61 percent compared to the national average of 65 percent. Nevada’s response rate in 1990 was the sixth worst in the Nation, while states surrounding Nevada had response rates that ranged from 62 percent in Arizona to 70 percent in Idaho.

While Mr. Byerman lamented that the national campaign does not include Nevada imagery or Nevada’s leaders, he stated that he will work with local community and state leaders to put together a grassroots program for Nevada and its communities.

Mr. Byerman also explained that local Census offices are focusing efforts on recruiting local people to serve as census takers (enumerators) and crew leaders. A census taker is responsible for locating households that did not return the initial Census form, listing addresses, as well as conducting interviews with respondents. A crew leader supervises, trains, observes, and reviews the work of a team of census takers.

The Bureau of the Census will hire 4,000 people in Nevada (850,000 in the United States) to conduct the Census. The current national economic expansion has resulted in one of the tightest labor markets in recent history, with unemployment rates across the state hovering around 4 percent. Unemployment rates are even lower in the major metropolitan areas of Clark and Washoe Counties. Mr. Byerman expected difficulty in recruiting people under these circumstances and encouraged people who might like to work as census takers or crew leaders to call the Bureau of the Census at 888-325-7733.
Secretary of State Advises Proactive Approach by the State of Nevada

Nevada Secretary of State Dean Heller outlined to members of the Committee on Reapportionment and Redistricting three major reasons why the State of Nevada should become involved with the Bureau of the Census in trying to ensure a complete and accurate count of the state’s residents.

First, he noted that a substantial amount of federal dollars are allocated to the states based on formulas that include population. An undercount of Nevada’s population will result in a return of fewer federal dollars to this state; dollars that legitimately belong here. He stated that for every family of four that goes uncounted in Nevada, the state will lose $25,000 over the next ten years.

Second, Secretary Heller emphasized the role of a complete population count in ensuring fair representation in the U.S. House of Representatives. Nevada currently holds two seats in the House and is likely to pick up a third seat as a result of the dramatic population growth experienced during the last ten years. He stressed the importance of a complete and accurate count in determining fair and appropriately redrawn legislative and other districts within Nevada.

Finally, he indicated that an accurate and complete population count will assist in ensuring Nevada’s continuing economic development.

The Secretary also told the Committee of his request to the Interim Finance Committee (IFC) of the Nevada Legislature for $788,400 to assist local complete count committees in their media efforts to ensure that hard-to-count portions of the population are identified and counted during the 2000 Census.

Secretary Heller noted that a more complete count could result in the state receiving up to an additional $200 million in federal funds over the next decade. Part of the funds also would be used for a direct-mail campaign to send practically every household in the state a letter from the Governor emphasizing the importance of the 2000 Census.

While the Committee did not have an opportunity to review detailed budgets concerning the planned use of the funds, it expressed its support for the program outlined by Secretary Heller. The Committee also was assured by Ms. Maser that the media blitz undertaken by the Northern Nevada Census 2000 Complete Count Committee would include outlying areas of the state, not just the Reno/Sparks area.

At its meeting on February 2, 2000, the IFC approved the request to spend $788,400 to obtain a more complete count.
State Tax Revenue Distributed Based Upon Population

Ted A. Zuend, Deputy Fiscal Analyst, LCB Fiscal Analysis Division, presented information to the Committee on Reapportionment and Redistricting concerning taxes authorized or imposed by Nevada that are distributed in whole or in part on the basis of population. He identified seven specific references in Nevada Revised Statutes (NRS):

- **Intracounty Distribution of Six Taxes from the Local Government Tax Distribution Account (NRS 360.690)**—After all base monthly allocations of revenue have been made to the eligible local governments in a county from the Basic City-County Relief Tax, Supplemental City-County Relief Tax (SCCRT), Vehicle Privilege Tax, Real Property Transfer Tax, Cigarette Tax and Liquor Tax, any excess revenue is distributed to the county and any cities and towns based, in part, on the relative population change of each entity from one fiscal year to the next.

- **Intracounty Distribution of 1 Cent Gasoline Tax for Road Maintenance (NRS 365.196)**—Revenue collected within any county that includes at least one city must be distributed to the county and any cities in proportion to the respective populations of the unincorporated area of the county and the cities.

- **Distribution of 3.6 Cents Statewide Gasoline Tax to Each County (NRS 365.550)**—The proceeds from this tax are allocated to each county based on a formula that assigns equal weights to four factors. One of these factors is the population of the county.

- **Intracounty Distribution of 2.35 Cents of the 3.6 Cents Gasoline Tax (NRS 365.550)**—After each county with at least one city receives its share of the 3.6 cent gasoline tax, an amount equivalent to 2.35 cents of the tax must be allocated to the county and any cities based upon the same four-factor formula used to distribute the revenues to the counties. For purposes of the intracounty distribution, the population figure used for the county reflects only the population in the unincorporated areas.

- **Distribution to Counties of 50 Cents Per Gallon Tax on Hard Liquor (NRS 369.173)**—Revenue collected by the state from this portion of the liquor tax is distributed to the counties in proportion to their respective populations. The liquor tax revenues received at the county level are then combined with five other revenues in the local government tax distribution account to be distributed by formula to eligible local governments within each county.

- **Distribution to Counties of Cigarette Tax Equivalent to 10 Cents Per Pack (NRS 370.260)**—Revenue collected by the state from this portion of the cigarette tax is distributed to the counties in proportion to their respective populations. The cigarette tax revenues received at the county level are then combined with five other revenues in the local government tax distribution account to be distributed to eligible local governments within each county.

- **Distribution to 11 Counties of Supplemental City-County Relief Tax (NRS 377.057)**—Whenever the population growth in Douglas, Esmeralda, Eureka, Lander, Lincoln, Lyon, Mineral, Nye, Pershing, Storey or White Pine Counties, combined with the percentage change in the Consumer Price Index (CPI), is less than the increase in statewide revenues from the SCCRT, the allocation of SCCRT revenue to that county is increased from the preceding fiscal year based on the combination of county population growth and the CPI increase. The SCCRT revenues received at the county level are then combined with five other revenues in the local government tax distribution account to be distributed to eligible local governments within each county.

Redistricting Workstations and Software

A key element of the reapportionment/redistricting process is the hardware and software used to create new district boundaries. Current technology allows users to make boundary changes quickly and easily, giving almost immediate results when population totals are recalculated after each boundary change.

In order to train users and prepare for redistricting of congressional, legislative, and other districts, the Committee on Reapportionment and Redistricting approved the immediate purchase of two workstations and software. One workstation will be placed in the Grant Sawyer State Office Building in Las Vegas, while the other will be located in the Legislative Building in Carson City.

The Committee also approved the purchase of Digital Engineering Corporation’s autoBound Redistricting and Reapportionment System, running on Environmental Systems Research Institute’s (ESRI) ArcView Geographic Information System (GIS).

Security is a major concern during the reapportionment/redistricting process. In order to access a workstation, each user will have to enter a unique username and password. Each redistricting plan created with autoBound can be password protected. The plans will be stored in protected folders on the workstation’s hard drives and backed up to a network-protected folder on the server. Each workstation will be located in lockable offices under the supervision of LCB staff.

Speedy computers, tailored software, and training time will aid legislators during the reapportionment/redistricting process, making it technically easier to redraw the congressional, legislative, and other districts during the 2001 Legislative Session.
Actual Enumeration vs. Statistical Sampling

Scott Wasserman, Chief Deputy Legislative Counsel, LCB Legal Division, explained to the Committee on Reapportionment and Redistricting that the U.S. Bureau of the Census had announced a plan to use two forms of statistical sampling in the 2000 Census. The reason the Bureau offered for using statistical sampling was to address a chronic and apparently growing problem of undercounting of some identifiable groups, including certain minorities, children, and renters.

Mr. Wasserman provided members of the Committee with a summary of a U.S. Supreme Court decision in the case of Department of Commerce v. United States House of Representatives [525 U.S. 316 (1999)]. In that case, the Court concluded that the Census Act prohibits the proposed use of statistical sampling in calculating the population for purposes of apportioning Congressional seats.

Given the Court's decision, the Census Bureau plans to produce two sets of population figures—a traditional head-count version for the purpose of congressional apportionment, and a second set of numbers which corrects for the undercount.

The Census Bureau will report both unadjusted and sampling-adjusted numbers to the states. The latter would be made available in a form that allows them to be used, if so desired, for intrastate redistricting, determining the allocation of federal funds, and various other purposes. It will be left to the Legislature to determine which set of population data, adjusted or unadjusted, will be used to redraw the boundaries of the state's congressional districts as well as its Senate and Assembly districts.

Update on Phase 2 of the Census 2000 Redistricting Data Program

Kathy L. Steinle, GIS Specialist, LCB Information Systems, provided the Committee on Reapportionment and Redistricting with an update on Phase 2 (Voting District Project) of the Census 2000 Redistricting Data Program. She explained that this phase of the program allows states to draw their legislative districts and existing election precincts on U.S. Bureau of the Census electronic maps. These boundaries are then incorporated into the geographic database used to take the 2000 Census. This program will allow states to receive population totals by legislative districts and precinct boundaries in 2001.

Legislative Counsel Bureau staff completed drawing the legislative districts and precinct boundaries on electronic maps for all 17 of Nevada's counties and finished submitting them to the U.S. Bureau of the Census on December 17, 1999. Once the Bureau of the Census processes data from all 50 states, it will send verification maps to each state for a review of district and precinct boundary accuracy. States will be given approximately one month to complete this review.

Committee Members

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Senator Dean A. Rhoads

Assemblywoman Barbara E. Buckley

Assemblyman Joseph E. Dini, Jr.

Assemblywoman Chris Giunchigliani

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