

JOINT STANDING RULES
71ST SESSION OF THE NEVADA LEGISLATURE

REAPPORTIONMENT

Rule No. 13. Responsibility for Measures and Approval of Research Requests.

1. The Committee on Government Affairs of the Senate and the Committee on Elections, Procedures, and Ethics of the Assembly are respectively responsible for measures which primarily affect the designation of the districts from which members are elected to the Legislature. These committees are hereby designated as the “redistricting committees” for the purposes of this rule and joint Standing Rules Nos. 13.1, 13.2, 13.3, 13.4, 13.5 and 13.6.

2. Any request for research concerning the population of proposed districts must be submitted to the Research Division of the Legislative Counsel Bureau through one of these redistricting committees.

[Statutes of Nevada 1981, 2068; A 1993, 2906; 1999, 3854; Assembly Concurrent Resolution No. 1 of the 2001 Session (File No. 8)]

Rule No. 13.1. Equality of Representation.

1. In order to meet constitutional guidelines for deviations in population among state legislative districts, no plan, or proposed amendment thereto, will be considered that results in an overall range of deviation in excess of 10 percent, or a relative deviation in excess of plus or minus 5 percent from the ideal district population.

2. The population of each of the Nevada congressional districts must be as nearly equal as is practicable. Any population deviation among the congressional districts from the ideal district population must be necessary to achieve some legitimate state objective. Legitimate state objectives, as judicially determined, include making districts compact, respecting municipal boundaries, preserving the cores of prior districts and avoiding contests between incumbent representatives. In order to meet constitutional guidelines for congressional districts, no plan, or proposed amendment thereto, will be considered that results in an overall range of deviation in excess of 1 percent, or a relative deviation in excess of plus or minus one-half percent from the ideal district population.

3. Equality of population in accordance with the standard for state legislative districts is the goal of redistricting for the State Board of Education and the Board of Regents.

[Assembly Concurrent Resolution No. 1 of the 2001 Session (File No. 8)]

Rule No. 13.2. Population Database.

1. The total state population, and the population of defined subunits thereof, as determined by the 2000 federal decennial census must be the exclusive database for redistricting by the Nevada Legislature.

2. Such 2000 census data as validated by the staff of the Legislative Counsel Bureau must be the exclusive database used for the evaluation of proposed redistricting plans for population equality.

[Assembly Concurrent Resolution No. 1 of the 2001 Session (File No. 8)]

Rule No. 13.3. Districts.

All district boundaries created by a redistricting plan must follow the census geography.
[Assembly Concurrent Resolution No. 1 of the 2001 Session (File No. 8)]

Rule No. 13.4. Procedures of the Redistricting Committees.

1. A legislator or member of the public may present to the redistricting committees any plans or proposals relating to redistricting, including proposals for redistricting specific districts or all the state legislative districts, congressional districts, districts for the Board of Regents or districts for the State Board of Education for consideration by the redistricting committees.

2. Bill draft requests, including bills in skeletal form, setting forth specific boundaries of the state legislative districts, congressional districts, districts for the Board of Regents or districts for the State Board of Education, and amendments affecting a majority of the state legislative districts, may only be requested by the chairmen of the redistricting committees.

3. The chairmen of the redistricting committees are limited to one request each for a bill draft setting forth the specific boundaries of the state legislative districts, one request each for a bill draft setting forth the specific boundaries of the congressional districts, one request each for a bill draft setting forth the specific boundaries of the districts for the Board of Regents and one request each for a bill draft setting forth the specific boundaries of the districts of the State Board of Education. At the direction of the chairman of the redistricting committee, the bill draft requests setting forth the specific boundaries of the state legislative districts, the congressional districts, districts for the Board of Regents and districts for the State Board of Education may be combined in any manner.

[Assembly Concurrent Resolution No. 1 of the 2001 Session (File No. 8)]

Rule No. 13.5. Compliance with the Voting Rights Act.

1. The redistricting committees will not consider a plan that discernibly violates section 2 of the Voting Rights Act, codified as 42 U.S.C. § 1973(a), which prohibits any state from imposing any voting qualification, standard, practice or procedure that results in the denial or abridgment of any United States citizen's right to vote on account of race, color or status as a member of a language minority group.

2. The redistricting committees will not consider a plan that is discernibly racially gerrymandered. Racial gerrymandering exists when:

(a) Race is the dominant and controlling rationale in drawing district lines; and

(b) The Legislature subordinates traditional districting principles to racial considerations.

For the purposes of this subsection, "traditional districting principles" are those traditional redistricting principles that have been judicially recognized and include compactness of districts, contiguity of districts, preservation of political subdivisions, preservation of communities of interest, preservation of cores of prior districts, protection of incumbents and compliance with section 2 of the Voting Rights Act, 42 U.S.C. § 1973 (2).

3. For the purpose of analyzing the 2000 census data, the redistricting committees shall adopt the method set forth in the Office of Management and Budget (OMB) Bulletin No. 00-02 for aggregating and allocating the 63 categories of race data that will be reported to Nevada by the United States Census Bureau as part of the federal decennial census.

[Assembly Concurrent Resolution No. 1 of the 2001 Session (File No. 8)]

Rule No. 13.6. Public Participation.

1. The redistricting committees shall seek and encourage:

- (a) Public participation in all aspects of the reapportionment and redistricting activities; and
- (b) The widest range of public input into the deliberations relating to those activities.

2. Notices of all meetings of the redistricting committees must be transmitted to any member of the public who so requests, without charge.

3. All interested persons are encouraged to appear before the redistricting committees and to provide their input regarding the reapportionment and redistricting activities. The redistricting committees shall afford a reasonable opportunity to any interested persons to present plans, or amendments to plans for redistricting, unless such plans demonstrably fail to meet the minimally acceptable criteria set forth in this rule and Joint Standing Rules Nos. 13, 13.1, 13.2, 13.3, 13.4 and 13.5.

4. Each of the redistricting committees, either jointly or separately, shall hold at least one hearing in the southern portion of this state and at least one hearing in a rural portion of this state to allow residents throughout the state an opportunity to participate in the deliberations relating to the reapportionment and redistricting activities.

5. The Legislative Counsel Bureau shall make available to the public copies of the validated 2000 census database for the cost of reproducing the database.

6. The redistricting committees shall make available for review by the public, copies of all maps prepared at the direction of the committees.

[Assembly Concurrent Resolution No. 1 of the 2001 Session (File No. 8)]