

Reapportionment and Redistricting



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REAPPORTIONMENT AND REDISTRICTING

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SUMMARY OF RECOMMENDATION

LEGISLATIVE COMMISSION'S COMMITTEE ON REAPPORTIONMENT AND REDISTRICTING (Senate Concurrent Resolution No. 1, File No. 95, *Statutes of Nevada 1999*)

This summary presents the recommendation to the 71st Session of the Nevada Legislature by the Legislative Commission's Committee on Reapportionment and Redistricting.

SUMMARY OF PROPOSED RULES FOR REAPPORTIONMENT AND REDISTRICTING BY THE 2001 NEVADA LEGISLATURE

The Committee recommended adoption of redistricting rules in accordance with the document titled "Proposed Rules for Reapportionment and Redistricting by the 2001 Nevada Legislature." These suggested rules appear in their entirety in Appendix D to this report and address the following general topics:

1. **Equality of Representation**—State legislative districts must have only minor deviations in population between districts, and the population of each of the Nevada congressional districts must be as nearly equal as is practicable. Equality of population in accordance with the standards for state legislative districts also is the goal of redistricting for the State Board of Education and the Board of Regents.
2. **Population Database for Redistricting**—The total state population, and the population of defined subunits thereof, as determined by the 2000 census shall be the exclusive database for redistricting by the Nevada Legislature.
3. **Districts**—All district boundaries created by a redistricting plan must follow the census geography.
4. **Procedures for Redistricting Committees**—A legislator or member of the public may present to the redistricting committees (the committee in each house having jurisdiction over legislative measures relating to redistricting) any plans or proposals relating to redistricting, including proposals for redistricting specific districts or all of 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. 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. The chairmen of the redistricting committees shall be 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 for setting forth 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.

5. **Compliance With the Voting Rights Act**—The redistricting committees will not consider a plan that violates Section 2 of the Voting Rights Act, 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. In addition, the redistricting committees will not consider a plan that is racially gerrymandered. For the purpose of analyzing the 2000 census data, the redistricting committees shall adopt the method set forth in the United States Office of Management and Budget Bulletin No. 00-02 for aggregating and allocating the 63 categories of race data that will be reported to Nevada by the Census Bureau as part of the federal decennial census.
6. **Public Participation**—The redistricting committees shall seek and encourage public participation in all aspects of the reapportionment and redistricting activities and the widest range of public input into the deliberations relating to those activities. In addition, the Legislative Counsel Bureau shall make available to the public copies of the validated 2000 census database for the cost of reproducing the database, and the redistricting committees shall make available for review by the public, copies of all maps prepared at the direction of the committees.

**REPORT TO THE 71st SESSION OF THE NEVADA LEGISLATURE
BY THE LEGISLATIVE COMMISSION'S COMMITTEE ON
REAPPORTIONMENT AND REDISTRICTING**

I. INTRODUCTION

This report is submitted in compliance with Senate Concurrent Resolution No. 1 (File No. 95, *Statutes of Nevada 1999*) of the 70th Session of the Nevada Legislature. This resolution directs the Legislative Commission to study the requirements for reapportionment and redistricting in this state in conjunction with the data from the 2000 decennial census. Please see Appendix A. The Legislative Commission appointed the Committee on Reapportionment and Redistricting to carry out the requirements of S.C.R. No. 1. Legislative members of the Committee are:

Senator Ann O'Connell, Chairwoman
Senator William J. Raggio
Senator Dean A. Rhoads
Senator Dina Titus
Assemblywoman Barbara E. Buckley
Assemblyman Joseph E. Dini, Jr.
Assemblywoman Chris Giunchigliani
Assemblyman Lynn C. Hettrick

Legislative Counsel Bureau (LCB) staff services for the Committee were provided by Robert E. Erickson, Research Director; Vance A. Hughey, Principal Research Analyst, Research Division; Michael J. Stewart, Senior Research Analyst, Research Division; Brian L. Davie, Legislative Services Officer, Las Vegas Office; Scott G. Wasserman, Chief Deputy Legislative Counsel, Legal Division; William L. Keane, Deputy Legislative Counsel, Legal Division; Allan M. Smith, Manager, Information Systems Unit; and Kathy L. Steinle, Geographic Information System (GIS) Specialist, Information Systems Unit. Secretarial services were provided by Susan Furlong Reil, Principal Research Secretary, Research Division.

In this report, the Committee has provided a comprehensive review of the issues related to reapportionment and redistricting. Only information that bears directly upon the scope of the study and the Committee's recommendation is included. All other supporting documents and minutes of meetings are on file with the LCB's Research Library.

A. Background Information

The 1999 Nevada Legislature created an interim study committee on reapportionment and redistricting in anticipation of the 2000 decennial census. This Committee consists of eight members—four from the Senate and four from the Assembly. The members include the leadership of each party in each house and represent legislative districts in

Clark County, Washoe County, and the rural counties. The Committee operates under the Legislative Commission and is responsible to study and make recommendations to the 2001 Legislature concerning the requirements for reapportionment and redistricting in Nevada.

The 2001 Nevada Legislature is responsible for redrawing the districts of a number of elected officers based on the results of the 2000 census and the “one person, one vote” principle. This will be a time-consuming and somewhat contentious project for the Legislature, since the resulting districts will be in effect for a ten-year period. The Legislature must redraw the districts of the members of the Legislature. There currently are 21 senators and 42 Assembly members, but the 2001 Legislature may change those numbers as long as the total number of members does not exceed 75 and the Assembly is from two to three times larger than the Senate. The Legislature also must redraw the districts of the State Board of Education and the University and Community College System of Nevada’s (UCCSN’s) Board of Regents. Currently, these bodies each have 11 members. Nevada has adequate population to gain a third congressional seat for the first time in our state’s history. The Legislature must divide the state’s population as nearly as practicable into thirds for these three members of the United States (U.S.) House of Representatives.

B. Key Issues

Among other things, the interim study committee has been advised by LCB staff; the U.S. Department of Commerce, Census Bureau (Census Bureau); and other expert witnesses that:

- The detailed census information for each Nevada county, all the way down to the precinct and block level, will not be released to the state until sometime in March 2001. This leaves the Legislature with only about ten weeks—until June 4, 2001—within which to reapportion and redistrict certain districts in the state and complete all of its other business.
- While all parts of the state are expected to show growth over the past decade, Clark County’s has been the greatest. It is estimated that almost 1.4 million of the state’s nearly 2 million people live in Clark County, which is approximately 68.7 percent of the state total. (In 1990, Clark County represented 61.7 percent of the state total.) Appendix B, Chart I.
- Currently 13 of the 21 senators and 26 of the 42 members of the Assembly represent districts in Clark County. If legislative seats are not added next session, it is projected that Clark County will gain one and one-half Senate districts and three Assembly districts. Of course, this will cause a corresponding loss of one and one-half Senate districts and three Assembly districts in northern and rural Nevada. Appendix B, Charts I, II, and III.

- If the existing number of legislative districts in northern and rural Nevada (8 Senate districts and 16 Assembly districts) is retained, the Legislature apparently would have to be expanded to the full 75 members (25 senators and 50 assemblymen). This approach would result in four new Senate districts and eight new Assembly districts, all in Clark County. Appendix B, Charts I, II, III, and IV.
- Alternatively, the Legislature could decide to expand its size to a point somewhere between the current composition (63 members) and the maximum possible (75 members). For example, if the Legislature expanded to 70 members (23 senators and 47 assemblymen), it is projected that Clark County would gain three new Senate districts and six districts in the Assembly; further, it would result in a net loss of approximately one Senate district and one Assembly district in northern and rural Nevada. Appendix B, Charts II, III, and IV.
- When the Legislature last redistricted in 1991, the average population in a single-member Senate district was 57,230. The average Assembly district population was half that number: 28,615. Depending on the number of seats selected for each house when the Legislature redistricts the state in 2001, the average Assembly district will range in size from approximately 40,000 (50-member option) to nearly 48,000 (42-member option), with each Senate district between almost 80,000 (25-member option) and about 95,000 (21-member option). Appendix B, Charts I, II, III, and IV.

C. Committee Accomplishments

Accomplishments of the Committee during the 1999-2001 interim period include the following:

- Authorized continued participation in Census Bureau programs with respect to mapping and statistical products.
- Selected Digital Engineering Corporation's autoBound software for Nevada's 2001 reapportionment and redistricting.
- Directed staff of the LCB to prepare and distribute on a regular basis a newsletter, *Redistricting News*.
- Supported a statewide public awareness campaign of Census 2000, including a written recommendation to the Interim Finance Committee to appropriate funds to enhance the campaign. Appendix C.
- Authorized the purchase of two training workstations to be used to prepare for the 2001 reapportionment and redistricting effort, one of which is situated at the Legislative Building in Carson City and the other at the Grant Sawyer State Office Building in Las Vegas. These workstations may be used by the public during the 2001 Session.

- Approved placement of redistricting workstations within the leadership offices of each caucus in each house of the Nevada Legislature for use during the 2001 Session.
- Made recommendations concerning time frames for accomplishing redistricting in the 2001 Session.
- Approved the “Rules for Reapportionment and Redistricting by the 2001 Nevada Legislature.” Appendix D.
- Authorized the creation of an elections database to assist in the reapportionment and redistricting process.
- Received testimony and information from:
 1. Legislative Counsel Bureau staff, including background and historical data and reports on legal issues and principles;
 2. Census Bureau representatives pertaining to Census 2000;
 3. Nevada’s Secretary of State regarding efforts to educate the public on the importance of census participation;
 4. Members of Nevada’s congressional delegation or their representatives; and
 5. Other interested parties concerning Census 2000 and reapportionment and redistricting.

II. COMMITTEE ACTIVITIES

The Committee on Reapportionment and Redistricting held five meetings as follows:

- **October 20, 1999, in Carson City and videoconferenced to Las Vegas**—David A. Byerman, Chief Government Liaison for Nevada, Census Bureau, Sparks, Nevada, presented information concerning the importance to Nevada of obtaining a complete and accurate count of all Nevadans Census Day, April 1, 2000. Staff of LCB’s Research, Legal, and Administrative Divisions presented projected statistical data together with current and historical information concerning the activities of the Nevada Legislature and the Census Bureau on the census, reapportionment, and redistricting.

The Committee approved a staff proposal to reinstitute a “redistricting newsletter” up to and immediately following the 2001 Legislative Session. The Committee also authorized continued use of Digital Engineering Corporation’s autoBound software for the redistricting

needs of the 2001 Legislature. This software program was used by LCB staff for the Phase 2 Voting District Project mapping in cooperation with the Census Bureau.

- **January 19, 2000, in Las Vegas and videoconferenced to Carson City**—The Committee received reports concerning the 2000 decennial census from Secretary of State Dean Heller, representatives of the Census Bureau, Nevada's congressional delegation, and regional committees in Nevada promoting the census. The Committee approved sending a generic letter to the Legislature's Interim Finance Committee supporting, in concept, the Secretary of State's proposal for funding of a media campaign to promote Census 2000. Appendix C.

Staff of the LCB also presented information to the Committee concerning: (1) the geographic dispersion of tax revenues based on population [Appendix E]; (2) geographical considerations on the distribution and number of legislators; (3) Phase 2 of the Census Bureau's Voting District Project; and (4) staff and office space recommendations for redistricting in 2001. Further, the Committee approved the staff recommendation that two computer workstations be purchased and installed by March 2000 for the Legislative Building in Carson City and the Grant Sawyer State Office Building in Las Vegas. These workstations have provided legislators and others with the opportunity to become familiar with redistricting computers, printers, and software.

- **May 3, 2000, in Las Vegas and videoconferenced to Carson City**—The Committee was advised that Nevada was second to only one other state in improved census response rate from 1990 to 2000 and that field enumerators were at work throughout the state to count those people who did not respond initially to the census questionnaires.

It was reported that the Phase 2 Voting District Project was on schedule and that the redistricting workstations were ready for training programs. The Committee also received a comprehensive overview of legal principles, constitutional and statutory provisions, and court decisions relating to redistricting and reapportionment from LCB's Legal Division.

The Committee provided direction to staff concerning a redraft of proposed redistricting rules for the 2001 Session, including reference to the reporting of race data in accordance with Bulletin No. 00-02 of the federal Office of Management and Budget (OMB). Please see Appendix F. The leaders of each party of both houses in the Legislature, all of whom served on the Committee, approved the concept of placing redistricting workstations in each of the four leadership suites (such as in caucus conference rooms) for the 2001 Session.

Staff of the Research Division and Information Systems Unit of LCB distributed map atlases of the various current legislative districts and 2000 population projections in each district. The Committee directed staff, after certain refinements were completed, to distribute this information to each member of the Legislature.

- **September 29, 2000, in Carson City and videoconferenced to Las Vegas**—Committee members received a comprehensive report on Census 2000 from Marshall L. Turner, Jr., Chief of the Census 2000 Redistricting Data Office, Census Bureau, Washington, D.C. Mr. Turner informed the Committee that the tabulations of Census 2000 are on schedule and that Nevada should receive detailed census information sometime in March 2001. He noted that Nevada has been placed in the first tier of states to receive this data based on the Legislature’s request for priority status because of the 120-day session. Further, Mr. Turner reported that the final decision of the Census Bureau concerning the release to all states of adjusted population counts, in addition to the unadjusted counts, will not be made until late February 2001.

The Committee also reviewed technology for displaying redistricting plans in caucus and committee rooms, received testimony by staff on multimember legislative districts, and reviewed possible time lines for the 2001 Session.

Testimony given by representatives of the NAACP; Inter-Tribal Council of Nevada, Inc.; the Nevada Indian Commission; and the Washoe Tribal Council focused on the need for the 2001 Legislature to communicate with racial minority groups during redistricting efforts. They also requested that cohesive communities of these racial groups not be improperly fractured during redistricting.

The Committee asked that statewide voting statistics for the 1996 and 2000 Presidential contests and the U.S. Senate contests of 1998 and 2000, be included in the redistricting database. Finally, the Committee adopted general rules for redistricting that will be recommended to the 2001 Legislature (Appendix D).

- **January 22, 2001, in Carson City and videoconferenced to Las Vegas**—The Committee received testimony from representatives of those entities whose districts must be reapportioned or redistricted during the 2001 Session: State Board of Education, David C. Sheffield, President; University of Nevada Board of Regents, Thalia Dondero, Chair, and Jane Nichols, Chancellor, UCCSN; Nevada Congressional District No. 2, Robert S. Uithoven, District Director for United States (U.S.) Representative Jim Gibbons; and Nevada Congressional District No. 1, U.S. Representative Shelley Berkley.

Staff of the LCB provided the Committee with an updated booklet containing maps of current legislative districts together with 2000 population projections. In addition, LCB staff presented information concerning the results of the 2000 decennial census, Census 2000 redistricting products and election data tables, and the potential release by the Census Bureau of statistically adjusted population figures. Please see Appendices G and H.

The Committee approved Proposed Rule IV of the “Rules for Reapportionment and Redistricting by the 2001 Nevada Legislature” which contains parameters for requesting reapportionment and redistricting bills during the upcoming session (Appendix D).

III. 2000 CENSUS AND REDISTRICTING

Article 1, Section 2 of the *United States Constitution* states:

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers....The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct.

A. Importance of a Complete and Accurate Count of Nevada's Population

This famous passage from Article I, Section 2 of the *U.S. Constitution* is the basis for conducting a decennial census and provides one of several important reasons for the Nevada Legislature's interest in helping to ensure that all of the state's residents are counted.

- 1. Representation in the United States Congress**—"Apportionment" is the process of dividing the 435 memberships, or seats, in the House of Representatives among the 50 states. As prescribed by the *Constitution*, the first decennial census was conducted in 1790. Thomas Jefferson, Secretary of State at the time, directed the enumeration. Since then, the census has been taken in each year ending in the zero digit. At the conclusion of each census, the results are used for calculating the number of House memberships each state is entitled to have over the next ten-year period.

On December 28, 2000, the Census Bureau released population totals for states. Based on those figures, the U.S. House of Representatives will be reapportioned for the 108th Congress. When that event occurs, Nevada will have three seats in the House of Representatives. The last time Nevada received an additional congressional representative was after the 1980 census when the number of seats in the U.S. House of Representatives allocated to the state was increased from one to two.

- 2. Redistricting of Legislative and Other District Boundaries**—The Nevada Legislature is responsible for redrawing the districts of a number of elected officers. In order to provide for the correct number of people in each district, state lawmakers need accurate population counts. The results of the 2000 census are used for this purpose to ensure that the "one person, one vote" principle is adhered to. The Legislature must redraw the districts of members of the Legislature. There currently are 21 senators and 42 Assembly members, but the 2001 Legislature may change those numbers as long as the total number of members does not exceed 75 and the Assembly is from two to three times larger than the Senate. The Legislature also must redraw the districts of the State Board of Education and the UCCSN's Board of Regents. Currently, these bodies each have 11 members.

- 3. Distribution of Federal and State Revenues**—The 1990 census undercounted Nevada’s residents by nearly 29,000 people. This figure represented an undercount of 2.3 percent, which was the sixth largest undercount percentage among the 50 states in the nation. If a similar undercount occurred with the 2000 census, the Census Bureau would miss nearly 47,000 of the state’s approximately 2 million population. Such an undercount could translate into a loss to Nevada of \$31 million per year in federal money, as many federal programs use the census numbers to allocate funds to the states.

In addition, many taxes authorized or imposed by Nevada are distributed in whole or in part on the basis of population. Please see Appendix E. Following is a brief review of seven specific references to allocations of state revenues based on population that are in *Nevada Revised Statutes* (NRS):

- (a) *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.
- (b) *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.
- (c) *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 weight to four factors. One of these factors is the population of the county.
- (d) *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 cents 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.
- (e) *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.

- (f) *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.
- (g) *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.

These taxes are all within Title 32 of NRS. Pursuant to NRS 360.285, for the purposes of Title 32 (Chapters 360-377B), the Governor shall, on or before March 1 of each year, certify the population of each town, township, city, and county in the state from the determination submitted to him by the Department of Taxation. Where any tax is collected by the Department of Taxation for apportionment, in whole or in part, to any political subdivision, and the basis of the apportionment is the population of the political subdivision, the department shall use the populations certified by the Governor.

Thus, for the existing taxes that are distributed according to “population,” it is the annual population estimates as certified by the Governor that control the distribution, and not the “population” as reported by the Census Bureau.

B. Redistricting Data Program

As was the case in 1990, Nevada is participating in all phases of the Census Bureau’s Redistricting Data Program. This program involves three primary phases:

- 1. Phase 1 (Block Boundary Suggestion Project)**—Participation in the Block Boundary Suggestion Project by states was voluntary. During this phase of the program, which ran from 1995 to December 1998, participating states were allowed to suggest visible features on census maps that they wished the Census Bureau to maintain in establishing boundaries for the census blocks for which population totals will be provided. States

suggested visible features such as streams, ridge lines, overhead power lines, and so on, that correspond as closely as possible with the current or projected boundaries of their election precincts, wards, or polling areas (which the Census Bureau refers to as voting districts or VTDs).

2. **Phase 2 (Voting District Project)**—The purpose of this phase of the program, which ran from December 1998 through January 2000, was to allow states to outline their legislative districts and existing election precincts (i.e., VTDs) on census maps and in electronic files using the features shown on the maps and in the electronic files so that they could be incorporated into the geographic database that was used to take the census. Participation by states in Phase 2 also was voluntary.
3. **Phase 3 (Data Delivery Project)**—Under the provisions of Public Law (P.L.) 94-171, the Census Bureau is required to provide each governor and the majority and minority leaders of each state legislature with Census 2000 population totals for counties, American Indian areas, cities, towns, county subdivisions, census tracts, block groups, and blocks. States that participated in Phase 2 of the Redistricting Data Program, such as Nevada, will receive data summaries for local voting districts (e.g., existing election precincts) that meet the Census Bureau's technical criteria. The Census 2000 P.L. 94-171 redistricting data will include population totals by race, Hispanic origin, and voting age. Please see Appendix I for a list of the 63 categories of possible race combinations for reporting of Census 2000 data.

This data will be accompanied by census maps showing blocks, census tracts, counties, towns, cities, county subdivisions, and voting districts for participating states. Some states, including Nevada, will have also defined their current legislative districts, and totals will be included for these areas as well. Comparable geographic files also will be provided to the designated state officials under P.L. 94-171.

The Census Bureau must provide this information to the states no later than April 1, 2001. Nevada has formally requested 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 now limited length of legislative sessions in Nevada (Appendix L).

Appendices J through P document Nevada's participation in the Census Bureau's Redistricting Data Program.

C. Actual Enumeration vs. Statistical Sampling

In 1999, the Census Bureau announced a plan to use statistical sampling in the 2000 census. The reason offered by the Census Bureau 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.

In the U.S. Supreme Court case of *Department of Commerce v. United States House of Representatives*, 525 U.S. 316 (1999), the Court concluded that the Census Act prohibits the use of statistical sampling in calculating the population for purposes of apportioning congressional seats. Given the Court's decision, the Census Bureau planned to produce two sets of population figures—a traditional head-count version upon which congressional apportionment is based and a second set of numbers that corrects for the undercount.

The Census Bureau is scheduled to decide in late February 2001 whether the detailed final census data to be released to the states will be statistically adjusted for accuracy. The U.S. Department of Commerce adopted a regulation, effective November 6, 2000, that sets forth the procedure to be followed in determining whether statistical sampling will improve the overall accuracy of the census data. This regulation provides that a committee composed of Census Bureau senior career professionals shall make a recommendation to the Director of the Census Bureau as to whether making an adjustment to the census data based on statistical sampling will result in a more accurate census. Thereafter, the Director of the Census Bureau will consider the committee's recommendation and decide whether to release adjusted numbers or the traditional head count as the official P.L. 94-171 census data.

Three possible scenarios could occur as a result of the regulation:

1. If the committee recommends that the census data be adjusted for the undercount but the Director of the Census Bureau does not concur, then all states would receive both the adjusted and unadjusted population figures, but the unadjusted numbers would be issued as P.L. 94-171 census data.
2. However, if the committee recommends that an adjustment be made to the census data and the Director of the Census Bureau agrees with that recommendation, then the states would receive both set of data—adjusted and unadjusted—but the adjusted figures would be issued as the official P.L. 94-171 census data.
3. In the event the committee recommends that the census data not be adjusted, only the unadjusted population count will be released to the states.

The apportioning of Congress was based on the unadjusted state population totals released by the Census Bureau on December 28, 2000, and this apportionment would not be impacted by the release of sample-adjusted numbers as the official P.L. 94-171 census data. In the absence of clarification from the U.S. Supreme Court, if the Census Bureau releases both adjusted and unadjusted data under either of the scenarios described in paragraphs 1 and 2 above, the Legislature must decide which set of numbers to use for redistricting the congressional delegation, the state legislature, the UCCSN's Board of Regents, and the State Board of Education.

The regulation adopted by the U.S. Department of Commerce further provides that the determination of the Director of the Census Bureau whether to use adjusted or unadjusted numbers as the P.L. 94-171 census data is not subject to review, reconsideration, or reversal by the U.S. Secretary of Commerce. The intent of this specific provision was to remove politics from the decision-making process. The regulation remains effective until amended or revoked by the U.S. Secretary of Commerce.

D. Schedule of Release of Census 2000 Data Elements

- 1. State Population Totals**—On December 28, 2000, the Census Bureau released the first results from Census 2000, which showed the resident population of the United States on April 1, 2000, was 281,421,906. This figure represented a 13.2 percent increase over the 248,709,873 persons counted during the 1990 census.

Nevada's resident population was reported at 1,998,257 persons, a 66.3 percent increase over the state's 1990 population of 1,201,833. For the fourth decade in a row, Nevada was the fastest growing state in the nation.

- 2. Detailed Census Information**—Detailed population and demographic data for Nevada is scheduled to be released in March 2001.

IV. LEGAL REQUIREMENTS FOR REDISTRICTING

The Nevada Legislature is responsible for redistricting congressional, state legislative, UCCSN Board of Regents, and State Board of Education districts.

A. 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. *State ex rel. Winnie v. Stoddard*, 25 Nev. 452, 62 Pac. 237 (1900).
- 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 assemblymen 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 data is then available which 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. Please see Appendix Q.

B. U.S. 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 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.

In addition, the Equal Protection Clause of the 14th Amendment to the *United States 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 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 stricken down if a challenge were to succeed based on some other legal requirement.

A redistricting plan with a maximum population deviation greater than 10 percent creates a *prima facie* case of discrimination and must be justified by the state. A state that adopts a plan with a deviation of more than 10 percent would have the burden of showing that (a) the more-than-10-percent range is necessary to implement a "rational state policy," and (b) it does not dilute or take away the voting strength of any particular group of citizens. Affording representation to political subdivisions is the only "rational state policy" that has expressly been accepted by the U.S. Supreme Court as justification for a legislative districting plan that has an overall deviation of more than 10 percent. Lower courts have accepted a desire to provide for compactness of districts or to protect a particular

community of interest as “rational state policies” justifying a deviation of greater than 10 percent. Court-drawn plans are held to a higher standard; that is, they usually will have a deviation of substantially less than 10 percent.

The deviation between the largest and smallest Nevada Senate districts in 1991 was 2.6 percent, while the maximum deviation in the Nevada Assembly was 4.5 percent.

C. Ethnic and Language Minority Considerations

The 14th Amendment to the *U.S. Constitution* guarantees to all persons equal protection and due process under law. The 15th Amendment prohibits the abridgment or denial of the right to vote on the basis of race or color. Discriminatory purpose and discriminatory results are necessary elements of a successful challenge under the 14th or 15th Amendments.

1. Voting Rights Act

Section 2 of the Voting Rights Act of 1965 (42 U.S.C. § 1973) prohibits a state from imposing any voting qualification, standard, practice, or procedure that results in the denial or abridgement of any citizen’s right to vote on account of race, color, or status as a member of a language minority group. Under Section 2 of the Voting Rights Act, a voting practice is unlawful if it results in a denial or abridgment of the right to vote on account of race, color, or membership in a language minority group. It is not necessary to prove a discriminatory intent to establish a violation of Section 2 of the Act.

2. Drawing Minority Districts

The issue of racial and ethnic discrimination has often arisen in connection with the multimember form of districting. Minority groups challenged the multimember form of districting claiming that their minority group could be a majority of the population if they were placed in a single-member district but were unable to be a majority when placed in a multimember district. In the case of *Thornburg v. Gingles*, 478 U.S. 30 (1986), the U.S. Supreme Court held that multimember districts are not a *per se* violation of the rights of minority voters. In *Thornburg v. Gingles*, the Court noted that to successfully challenge a multimember district, a minority group must show that (1) it is sufficiently large and geographically compact to constitute a majority in a single-member district, (2) it is politically cohesive, and (3) the majority of the population of the district votes sufficiently as a bloc so that the majority usually defeats the preferred candidate of the minority. After finding these factors, the Court must also find that based on the totality of the circumstances that members of a protected class have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. In other cases the Court has

invalidated the use of multimember legislative districts where the use of such districts impedes the ability of minority voters to elect representatives of their choice.

To avoid a legal challenge based upon an unlawful discrimination against a minority group, in drawing a minority district, the Legislature must avoid “packing” and “fracturing.” “Packing” is drawing district boundary lines so that the members of a minority group are concentrated, or “packed,” into so few districts that they become a supermajority in the packed districts—constituting perhaps 80 or 90 percent of the district’s population. As members of a “packed” district, they can elect representatives from those districts, but their votes in excess of a simple majority are “wasted” to the extent that they are not available to help elect representatives in other districts.

“Fracturing” is drawing district lines so that the minority population is broken up. Rather than allowing the minority to concentrate voting strength in a few districts—enabling the minority to elect representatives in those districts—the members of the minority are spread among many districts, resulting in the minority group being a minority of the population in every district.

The U.S. Supreme Court has upheld the use of a “65 percent rule” in a district to facilitate the election of a representative of the minority group. A minority district with less than 65 percent minority population may indicate fracturing, while a minority district with 75 percent or more minority population may indicate packing. This number (65 percent) is considered to be an appropriate percentage to ensure a simple majority (51 percent) of the district’s voting population is made up of minorities and to overcome three typical considerations in a minority neighborhood—less population of voting age, less voter registration, and lower voter turnout.

3. Racial Gerrymandering

In drawing minority districts in its redistricting plan, the Legislature must be careful not to make race the dominant factor in its redistricting plan. To succeed in a racial gerrymandering case, the plaintiffs must prove both that race is the dominant and controlling rationale in drawing district lines and that the legislature subordinated traditional race-neutral districting principles to racial considerations.

Several criteria have been recognized by the courts to constitute traditional districting principles. These criteria include:

- (a) Compactness;
- (b) Contiguity;
- (c) Preservation of political subdivisions (e.g., counties and cities);

- (d) Preservation of communities of interest;
- (e) Preservation of cores of prior districts;
- (f) Protection of incumbents; and
- (g) Compliance with Section 2 of the Voting Rights Act.

D. Multimember Legislative Districts

1. Legal Status

In the landmark case *Reynolds v. Sims*, 377 U.S. 533 (1964), the U.S. Supreme Court held that both houses of a bicameral legislature must be apportioned on the basis of population. It was this decision that started the process of putting an end to the practice of assigning legislators in one house just on the basis of counties regardless of population. The Court held that multimember legislative districts could be used in one or both houses of the legislature. In 1971, the Court reaffirmed its holding that the use of multimember state legislative districts is not *per se* unconstitutional but may be subject to a challenge where the circumstances of a particular case operate to minimize or cancel out the voting strength of a minority group.

In 1986, the U.S. Supreme Court created a three-part test to be used to determine whether a multimember district operates to dilute or cancel the voting strength of a minority group. First, the minority group must show that it is sufficiently large and geographically compact to constitute a majority in a single member district. Second, it must be demonstrated that the minority group is politically cohesive. Third, the minority group must demonstrate that the majority usually votes sufficiently as a bloc to enable it to defeat the candidate preferred by the minority group. After these factors are demonstrated, the Court must find that, based on the totality of the circumstances, members of a protected class have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.

This test also is now used to show that single-member districts may be used in an unconstitutional manner such as when packing or fracturing is present.

In 1972, a federal district court, in *Stewart v. O'Callaghan*, held that the use of multimember districts in Nevada for the election of senators in urban counties was not constitutionally impermissible in the absence of a showing that the use operated to dilute or cancel the voting strength of any segment of political grouping.

While the U.S. Supreme Court has repeatedly held that the use of multimember districts is not unconstitutional *per se*, in cases of court-ordered reapportionment schemes, the

Court prefers single-member districts to large multimember districts. In addition, with regard to congressional districts, federal law prohibits the use of multimember districts.

2. Multimember Legislative Districts in Nevada

Multimember legislative districts have been in use in Nevada since statehood. From 1861 through 1961, counties were the basic unit of redistricting. Several different counties—apparently depending on population and the boom and bust cycles—served as multimember districts ranging in size from 2 to 4 members in the Senate and from 2 to 14 members in the Assembly.

With the advent of population-based redistricting for both houses of the Legislature in 1965, the use of multimember districts continued. In the 1965 reapportionment, the 20-member Senate had 11 single-member districts and 2 multimember districts. The multimember districts included a five-member Clark County district and a four-member Washoe/Storey County district. The 40-member Assembly had seven single-member districts; two nine-member districts (one each in Clark and Washoe/Storey Counties); one three-member district (in Washoe County); and six two-member districts (in Clark, Douglas/Ormsby, Elko, and Lincoln/White Pine Counties).

Under the 1971 reapportionment, the Senate had seven single-member districts, a four-member district in Washoe County, and seven-member and two-member districts in Clark County. The Assembly in 1971 shifted to all single-member districts and has remained under the same configuration ever since.

In the 1981 reapportionment, the 21-member Nevada Senate created seven single-member districts: five two-member districts in Clark County and two two-member districts in Washoe County.

Under the 1991 reapportionment plan, the Senate provided for 11 single-member districts and only retained multimember districts in Clark County, with five two-member districts.

3. Multimember Legislative Districts in Other States

Multimember legislative districts are used not only in Nevada, but in 12 other states as well (Appendix R). Vermont and New Hampshire have the largest number of seats in multimember districts. For example, Vermont has 30 state senators and 13 senate districts. There are six senators in that state's largest multimember district. New Hampshire has 400 House members and only 132 House districts. There are 36 House members in that state's largest multimember district.

E. Partisan Gerrymandering

Partisan gerrymandering cases are justiciable under the Equal Protection Clause of the 14th Amendment. Unconstitutional discrimination occurs only when the electoral system is arranged in a manner that will consistently degrade the influence of a group of voters on the political process as a whole. To successfully challenge a districting plan on this basis, the plaintiff must show intentional discrimination and an actual discriminatory effect.

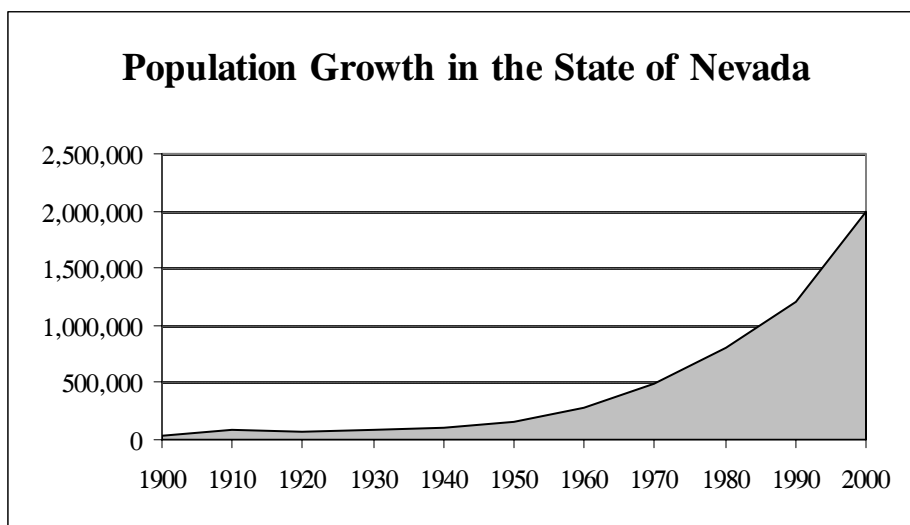
V. POPULATION TRENDS AND FORECASTS

On December 28, 2000, the Census Bureau submitted to President Clinton the final actual population counts from Census 2000, by state. The final resident total for Nevada, as of Census Day on April 1, 2000, was 1,998,257. This total represented a 66.3 percent increase in Nevada's population over the ten-year period from April 1, 1990.

A. Trends

Nevada has been the fastest growing state in the nation, by percentage increase, for each of the last four decades. Further, Nevada was second only to Florida in percentage increase (78.7 percent Florida and 78.0 percent Nevada) between 1950 and 1960.

Following its statehood in 1864, Nevada remained the smallest state in the nation for 95 years until Alaska joined the union in 1959. Today, Nevada ranks 35th in population among the 50 states. The following tabulations and graphs show Nevada's dramatic growth over the past fifty years. It also should be noted that Nevada's population in 1980 earned the state a second member in the U.S. House of Representatives, while its count in 2000 will result in a third representative.



<i>Census Year</i>	<i>Nevada Population</i>	<i>Percentage Increase or Decrease Over Prior Census</i>
1900	42,335	(-10.6%)
1910	81,875	93.4%
1920	77,407	(-5.5%)
1930	91,058	17.6%
1940	110,247	21.1%
1950	160,247	45.2%
1960	285,278	78.0%
1970	488,738	71.3%
1980	800,508	63.8%
1990	1,201,833	50.1%
2000	1,998,257	66.3%

The Nevada State Demographer currently projects that 2,611,453 people will reside in Nevada by the year 2010. If that number proves accurate, the percentage increase for the 2000-2010 decade will be 30.7 percent. That rate of growth also could qualify Nevada for a fourth seat in the U.S. House of Representatives following the 2010 census.

B. Geographical Distribution of Nevada's Population

The rate of population growth in Clark County has continued to outpace that of the rest of the state since World War II. In 1940, Clark County had just 14.9 percent of Nevada's population. By 1950, that number had increased to 29.9 percent. In 1963, Clark County's population exceeded half of the state total for the first time.

Estimates by the Research Division of LCB and the Nevada State Demographer indicate that Clark County had between 68 and 69 percent of Nevada's total population on Census Day 2000. The Census Bureau will release detailed information for Census 2000 sometime in March 2001, which will allow the Legislature to evaluate fully the impact of Clark County's growth on legislative and other districts in the state. Prior to the release of that data, state leaders may wish to use the following information developed by legislative staff.

<i>Geographical Area</i>	<i>1990</i>		<i>2000</i>	
	<i>1990 Census</i>	<i>Percent of Total</i>	<i>2000 Census</i>	<i>Percent of Total</i>
Clark County	741,459	61.7	1,372,327	68.7
Washoe County	254,667	21.2	327,470	16.4
Balance of State	205,707	17.1	298,460	14.9
State Total	1,201,833	100.0	*1,998,257	100.0

*Actual total released by U.S. Census Bureau.

C. Forecasts

The staff of the Research Division also estimated the 2000 population for each current legislative district. These estimates should be helpful to the Legislature prior to the receipt of detailed census information. These estimates, which were developed using a variety of information sources, are attached to this report as Appendices G and H.

If the 2001 Nevada Legislature decides to retain a 21-member Senate and a 42-member Assembly, Clark County will gain an estimated three Assembly districts and one-and-a-half Senate districts. Of course, this would result in a corresponding net reduction of three Assembly and one-and-a-half Senate districts in northern and rural Nevada. Appendix B of this report outlines the geographical distribution and ideal population of legislative districts under alternative numbers of members in each house. The 2001 Legislature may authorize an increase in the number of its members as long as the total does not exceed 75 and the Assembly has from two to three times more members than the Senate.

VI. FINDINGS AND RECOMMENDATION

The Committee recommended adoption of redistricting rules in accordance with the document titled “Rules for Reapportionment and Redistricting by the 2001 Nevada Legislature.” These suggested rules appear in their entirety in Appendix D to this report and address the following general topics:

1. Equality of Representation—State legislative districts must have only minor deviations in population among districts, and the population of each of the Nevada congressional districts must be as nearly equal as is practicable. Equality of population in accordance with the standards for state legislative districts also is the goal of redistricting for the State Board of Education and the Board of Regents.
2. Population Database for Redistricting—The total state population, and the population of defined subunits thereof, as determined by the 2000 census shall be the exclusive database for redistricting by the Nevada Legislature.
3. Districts—All district boundaries created by a redistricting plan must follow the census geography.
4. Procedures for Redistricting Committees—A legislator or member of the public may present to the redistricting committees (the committee in each house having jurisdiction over legislative measures relating to redistricting) any plans or proposals relating to redistricting, including proposals for redistricting specific districts or all of 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. 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. The chairmen of the redistricting committees shall be 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 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 for the specific boundaries of the districts of the State Board of Education.

5. Compliance With the Voting Rights Act—The redistricting committees will not consider a plan that violates Section 2 of the Voting Rights Act, 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. In addition, the redistricting committees will not consider a plan that is racially gerrymandered. For the purpose of analyzing the 2000 census data, the redistricting committees shall adopt the method set forth in the United States Office of Management and Budget Bulletin No. 00-02 for aggregating and allocating the 63 categories of race data that will be reported to Nevada by the Census Bureau as part of the federal decennial census.
6. Public Participation—The redistricting committees shall seek and encourage public participation in all aspects of the reapportionment and redistricting activities and the widest range of public input into the deliberations relating to those activities. In addition, the Legislative Counsel Bureau shall make available to the public copies of the validated 2000 census database for the cost of reproducing the database, and the redistricting committees shall make available for review by the public, copies of all maps prepared at the direction of the committees.

VII. CONCLUSION

This report was prepared and designed to be of particular assistance to its primary audience—the members of the 71st Session of the Nevada Legislature. The goal of its authors was to be comprehensive yet concise, with a wide range of topics covered in more detail in the various appendices.

The report will be supplemented with various maps, charts, and tabulations following the receipt and analysis of detailed Census 2000 information as released by the Census Bureau. Among other matters, supplemental information prepared by staff of the LCB will include:

- The geographical distribution of population in the state;

- Population by current district;
- Ideal district sizes based on alternative numbers of members; and
- Other information to assist the Legislature in its reapportionment and redistricting duties.

Staff of the LCB may be contacted for additional information on the following topics:

<i>Topic</i>	<i>LCB Staff Contact</i>
Demographic and geographical considerations, regional analysis, and general information concerning reapportionment and redistricting	Robert E. Erickson Research Director 775/684-6825
Historical data and technical assistance with computer redistricting software in southern Nevada	Brian L. Davie Legislative Services Officer Las Vegas Office 702/486-2800
Legal issues; participation of the state in Census 2000 Redistricting Data Program	Scott G. Wasserman Chief Deputy Legislative Counsel 775/684-6830
Population calculations and statistical analysis of demographic information	Vance A. Hughey Principal Research Analyst Research Division 775/684-6825
Training and assistance with computer redistricting software	Kathy L. Steinle Geographic Information System (GIS) Specialist Information Systems Unit 775/684-6810
Materials assembled during the 1999-2001 S.C.R. 1 interim study	Susan Furlong Reil Principal Research Secretary Research Division 775/684-6825

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APPENDIX A

Senate Concurrent Resolution No. 1, File No. 95, *Statutes of Nevada 1999*)

**Senate Concurrent Resolution No. 1—Committee on Legislative
Affairs and Operations**

FILE NUMBER.95....

**SENATE CONCURRENT RESOLUTION—Directing the Legislative Commission to
conduct an interim study of the requirements for reapportionment and
redistricting in the State of Nevada.**

WHEREAS, The 71st session of the Nevada Legislature will be required to reapportion and redistrict the election districts for the members of the Legislature, the members in the United States House of Representatives from the State of Nevada, the Board of Regents of the University of Nevada System and the State Board of Education; and

WHEREAS, The Bureau of the Census of the United States Department of Commerce is required to deliver redistricting data from the decennial census in 2000 to the states not later than April 1, 2001, when the Nevada Legislature already will be in session; and

WHEREAS, The amount of data from the census in 2000 and the necessity to accomplish reapportionment and redistricting in an expeditious manner during the 71st legislative session will require additional computer software and extensive preparation and testing to allow for the generation and analysis of proposals concerning reapportionment and redistricting; and

WHEREAS, The reapportionment and redistricting must comply with current case law and constitutional and statutory legal requirements; and

WHEREAS, The Nevada Legislature has been working with the Bureau of the Census on the Block Boundary Suggestion Program and other programs in preparation for the census in 2000 and the process of reapportionment and redistricting; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the Legislative Commission is hereby directed to study the requirements for reapportionment and redistricting in this state in conjunction with the data from the decennial census of 2000; and be it further

RESOLVED, That the committee to conduct the study consists of eight members of the 70th Legislative Session to be appointed, subject to the approval of the Legislative Commission, as follows:

1. Three members of the Senate appointed by the Majority Leader of the Senate.

2. One member of the Senate appointed by the Minority Leader of the Senate.

3. Three members of the Assembly appointed by the Speaker of the Assembly.

4. One member of the Assembly appointed by the Minority Leader of the Assembly.

The Legislative Commission shall appoint the chairman of the committee and, in approving the appointments to the committee, shall ensure that not less than two of the members are appointed from the Assembly Standing Committee on Elections, Procedures, and Ethics and not less than two of the

members are appointed from the Senate Standing Committee on Government Affairs; and be it further

RESOLVED, That the study include:

1. A continuing examination and monitoring of any redistricting systems established or recommended by the 70th session of the Nevada Legislature, or to be established pursuant to any legislation enacted by the 70th session of the Nevada Legislature, including the requirements for computer equipment, computer software and the training of personnel;
2. A review of the case law concerning the legal requirements for reapportionment and redistricting;
3. A review of the programs concerning planning for reapportionment and redistricting in other states;
4. The continuation of the state's participation in the programs of the Bureau of the Census; and
5. The participation in a program of the Bureau of the Census to increase the awareness of the general public concerning the census to ensure a complete and accurate count of all Nevadans in the year 2000; and be it further

RESOLVED, That the Legislative Commission may enter into contracts or other necessary agreements to establish and test reapportionment and redistricting programs and computer equipment to provide for the timely and efficient commencement of data processing for reapportionment and redistricting before the Legislature convenes in 2001; and be it further

RESOLVED, That no action may be taken by the study committee on recommended legislation unless it receives a majority vote of the Senators on the committee and a majority vote of the Assemblymen on the committee; and be it further

RESOLVED, That the Legislative Commission report to the 71st session of the Nevada Legislature the results of the study and any action taken in preparation for and any recommendations concerning reapportionment and redistricting.

APPENDIX B

Chart I—Statistical Outlook for Reapportionment and Redistricting of the Nevada Legislature Based on 2000 Population Total and Regional Estimates;

Chart II—Options for Geographical Distribution of Nevada Senate Districts Based on 2000 Population Total and Regional Estimates;

Chart III—Options for Geographical Distribution of Nevada Assembly Districts Based on 2000 Population Total and Regional Estimates; and

Chart IV—Average Percentage Difference Between Clark County Districts and Districts in the Remaining 16 Counties Under Various Options Concerning the Size of the Nevada Legislature

CHART I **STATISTICAL OUTLOOK FOR REAPPORTIONMENT AND REDISTRICTING OF THE** **NEVADA LEGISLATURE BASED ON 2000 POPULATION TOTAL AND REGIONAL ESTIMATES**

(NOTE: Regional population counts are expected to differ slightly from the following estimates and will necessitate recalculation of all statistics.)

<i>1990 and 2000 Population of Nevada</i>				
	<i>1990 Total</i>	<i>Percent of State</i>	<i>2000 Total*</i>	<i>Percent of State</i>
Nevada	1,201,833	100.0	1,998,257	100.00
Clark County	741,459	61.69	1,372,327	68.68
Washoe County	254,667	21.19	327,470	16.39
Balance of State	205,707	17.12	298,460	14.94

<i>Regional Makeup of Nevada Legislature—1999 Session</i>				
	<i>Number of Senators</i>	<i>Population per District Based on 1990 Census</i>	<i>Number of Assemblymen</i>	<i>Population per District Based on 1990 Census</i>
Nevada	21	57,230	42	28,615
Clark County	13	---	26	---
Washoe County	4	---	9	---
Balance of State	4	---	7	---

*Source: Year 2000 population total is the official count of Nevada's resident population as of April 1, 2000, and was released on December 28, 2000. Other Year 2000 figures are estimates prepared by LCB's Research Division. Detailed Census figures will be available by April 1, 2001.

CHART II

OPTIONS FOR GEOGRAPHICAL DISTRIBUTION OF NEVADA SENATE DISTRICTS BASED ON 2000 POPULATION TOTAL AND REGIONAL ESTIMATES

	19 MEMBERS		20 MEMBERS		21 MEMBERS		22 MEMBERS	
	<i>Number of Senators</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Senators</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Senators</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Senators</i>	<i>Population per District Based on 2000 Census</i>
Nevada	19	105,171	20	99,913	21	95,155	22	90,830
Clark County	13.05	---	13.74*	---	14.42*	---	15.11	---
Washoe County	3.11	---	3.28	---	3.44	---	3.61	---
Balance of State	2.84	---	2.99	---	3.14	---	3.29	---
	23 MEMBERS		24 MEMBERS		25 MEMBERS			
	<i>Number of Senators</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Senators</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Senators</i>	<i>Population per District Based on 2000 Census</i>		
Nevada	23	86,881	24	83,261	25	79,930		
Clark County	15.80*	---	16.48*	---	17.17	---		
Washoe County	3.77	---	3.93	---	4.10	---		
Balance of State	3.44	---	3.58	---	3.73	---		

*May require one district to be partially in Clark County and partially in rural Nevada to meet goal of 5 percent maximum range between largest and smallest district.
(Since the creation of Clark County in 1909, there has never been a state senate or assembly district wherein a part of Clark County has been combined with another county.)

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CHART III

OPTIONS FOR GEOGRAPHICAL DISTRIBUTION OF NEVADA ASSEMBLY DISTRICTS BASED ON 2000 POPULATION TOTAL AND REGIONAL ESTIMATES

	38 MEMBERS		39 MEMBERS		40 MEMBERS		41 MEMBERS	
	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>
Nevada	38	52,586	39	51,237	40	49,956	41	48,738
Clark County	26.10	---	26.78	---	27.47*	---	28.16	---
Washoe County	6.23	---	6.29	---	6.56	---	6.72	---
Balance of State	5.68	---	5.83	---	5.97	---	6.12	---
	42 MEMBERS		43 MEMBERS		44 MEMBERS		45 MEMBERS	
	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>
Nevada	42	47,578	43	46,471	44	45,415	45	44,406
Clark County	28.84	---	29.53*	---	30.22	---	30.90	---
Washoe County	6.88	---	7.05	---	7.21	---	7.37	---
Balance of State	6.27	---	6.42	---	6.57	---	6.72	---
	46 MEMBERS		47 MEMBERS		48 MEMBERS		49 MEMBERS	
	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>
Nevada	46	43,440	47	42,516	48	41,630	49	40,781
Clark County	31.59*	---	32.28	---	32.96	---	33.65	---
Washoe County	7.54	---	7.70	---	7.87	---	8.03	---
Balance of State	6.87	---	7.02	---	7.17	---	7.32	---

*May require one district to be partially in Clark County and partially in rural Nevada to meet goal of 5 percent maximum range between largest and smallest district.
(Since the creation of Clark County in 1909, there has never been a state senate or assembly district wherein a part of Clark County has been combined with another county.)

**OPTIONS FOR GEOGRAPHICAL DISTRIBUTION OF NEVADA ASSEMBLY DISTRICTS
BASED ON 2000 POPULATION TOTAL AND REGIONAL ESTIMATES**

	50 MEMBERS		51 MEMBERS		52 MEMBERS		53 MEMBERS	
	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>
Nevada	50	39,965	51	39,182	52	38,428	53	37,703
Clark County	34.34	---	35.02	---	35.71	---	36.40	---
Washoe County	8.19	---	8.36	---	8.52	---	8.69	---
Balance of State	7.47	---	7.62	---	7.77	---	7.92	---

	54 MEMBERS	
	<i>Number of Members</i>	<i>Population per District Based on 2000 Census</i>
Nevada	54	37,005
Clark County	37.09	---
Washoe County	8.85	---
Balance of State	8.07	---

*May require one district to be partially in Clark County and partially in rural Nevada to meet goal of 5 percent maximum range between largest and smallest district.
(Since the creation of Clark County in 1909, there has never been a state senate or assembly district wherein a part of Clark County has been combined with another county.)

Chart IV--Average Percentage Difference Between Clark County Districts and Districts in the Remaining 16 Counties Under Various Options Concerning the Size of the Nevada Legislature

2000 Population Estimates*	Share
State Total 1,998,257	100.00%
Clark County 1,372,327	68.68%
Remaining 16 Counties 625,930	31.32%

Current Number of Senate Districts: 21
Current Number of Assembly Districts: 42

Possible Number of Senate Districts:

State Total	Clark County	Remaining 16 Counties	Average Size of Clark County Districts	Average Size of Districts in the Remaining 16 Counties	Average Percentage Difference Between Clark County Districts and Districts in the Remaining 16 Counties
19	13	6	105,564	104,322	1.19%
20	13	7	105,564	89,419	18.06%
20	14	6	98,023	104,322	-6.04%
21	14	7	98,023	89,419	9.62%
21	15	6	91,488	104,322	-12.30%
22	15	7	91,488	89,419	2.31%
23	15	8	91,488	78,241	16.93%
23	16	7	85,770	89,419	-4.08%
24	16	8	85,770	78,241	9.62%
24	17	7	80,725	89,419	-9.72%
25	17	8	80,725	78,241	3.17%

Possible Number of Assembly Districts:

State Total	Clark County	Remaining 16 Counties	Average Size of Clark County Districts	Average Size of Districts in the Remaining 16 Counties	Average Percentage Difference Between Clark County Districts and Districts in the Remaining 16 Counties
38	26	12	52,782	52,161	1.19%
39	27	12	50,827	52,161	-2.56%
40	27	13	50,827	48,148	5.56%
40	28	12	49,012	52,161	-6.04%
41	28	13	49,012	48,148	1.79%
42	29	13	47,322	48,148	-1.72%
43	29	14	47,322	44,709	5.84%
43	30	13	45,744	48,148	-4.99%
44	30	14	45,744	44,709	2.31%
45	31	14	44,269	44,709	-0.99%
46	31	15	44,269	41,729	6.09%
46	32	14	42,885	44,709	-4.08%
47	32	15	42,885	41,729	2.77%
48	33	15	41,586	41,729	-0.34%
49	34	15	40,363	41,729	-3.27%
50	34	16	40,363	39,121	3.17%
51	35	16	39,209	39,121	0.23%
52	36	16	38,120	39,121	-2.56%
53	36	17	38,120	36,819	3.53%
54	37	17	37,090	36,819	0.73%

*Source: Year 2000 population total is the official count of Nevada's resident population as of April 1, 2000, and was released on December 28, 2000. Other Year 2000 figures are estimates prepared by LCB's Research Division. Detailed Census figures will be available by April 1, 2001.

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APPENDIX C

Letter dated January 26, 2000, from Senator Ann O'Connell, Chairwoman, Legislative Commission's Committee on Reapportionment and Redistricting, to the Legislature's Interim Finance Committee, expressing support for the appropriation of funds to enhance a statewide public awareness campaign of Census 2000

STATE OF NEVADA
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Lorne J. Malkiewicz, *Director, Secretary*

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MORSE ARBERRY, JR., *Assemblyman, Chairman*
Mark W. Stevens, *Fiscal Analyst*
Daniel G. Miles, *Fiscal Analyst*

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January 26, 2000

Chairman and Members
Interim Finance Committee
Nevada Legislature
401 South Carson Street
Carson City, NV 89101-4747

Re: Funding Request for Census 2000

Dear Chairman and Members:

At its meeting on January 19, 2000, the Legislative Commission's Committee on Reapportionment and Redistricting (Senate Concurrent Resolution No. 1, File No. 95, *Statutes of Nevada 1999*) voted unanimously to express its support, in concept, of a funding request by Nevada's Secretary of State to assist in promotion of the 2000 Census. The Committee strongly supports state and local efforts to ensure the best possible count of all Nevadans in the upcoming census, including targeted efforts to reach traditionally difficult-to-count populations in both rural and urban areas of the state.

The Committee cannot endorse a specific amount for this appropriation because detailed budget information concerning the grant requests was not readily available at the time of our meeting. The members believe, however, that the state's involvement and commitment is critical and essential to helping Nevada achieve the best possible results from the census.

The importance of the 2000 Census to Nevada cannot be overstated, both in terms of accurate representation and the allocation of federal funds. We have heard, and you also will receive, detailed statistics on the estimated undercount from the 1990 Census and the resulting losses of federal funds to our state over the past decade. The Reapportionment and Redistricting Committee views a state appropriation, in whatever amount is deemed most reasonable to the members of the Interim Finance Committee, as a relatively small investment to help ensure that Nevada receives a complete census count and its fair share of funding over the next ten years.

Page 2

Thank you for your consideration, and we urge your approval of an appropriate amount for Nevada's promotion of the 2000 Census.

Sincerely,

A handwritten signature in black ink, reading "Ann O'Connell". The signature is fluid and cursive, with the first name "Ann" and last name "Connell" clearly legible.

Ann O'Connell
Nevada State Senator
Chairwoman, Legislative Commission's Committee
on Reapportionment and Redistricting (S.C.R. 1)

AO/sfr:L01

cc: The Honorable Dean Heller, Secretary of State

APPENDIX D

Suggested “Rules for Reapportionment and Redistricting by the 2001 Nevada Legislature”
adopted by the Legislative Commission’s Committee on Reapportionment and Redistricting
(S.C.R. 1)

RULES FOR REAPPORTIONMENT AND REDISTRICTING
BY THE 2001 NEVADA LEGISLATURE

Adopted by the Legislative Commission's Committee on Reapportionment and
Redistricting (SCR 1)

To promote the development of constitutionally acceptable redistricting plans, the following rules are adopted to constitute minimally acceptable criteria for reapportionment and redistricting of the congressional districts, state legislative districts, and the districts of the State Board of Education and the Board of Regents.

I. EQUALITY OF REPRESENTATION

1. State legislative districts must have only minor deviations in population between districts in accordance with the following rule:

In order to meet constitutional guidelines for legislative districts, no plan, or proposed amendment thereto, will be considered which results in an overall range of deviation in excess of ten percent (10 %), or a relative deviation in excess of \pm five percent (5 %) from the ideal district population.

2. The population of each of the Nevada congressional districts must be as nearly equal as is practicable.
 - a. 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.
 - b. In order to meet constitutional guidelines for congressional districts, no plan, or proposed amendment thereto, will be considered which results in an overall range of deviation in excess of one percent (1 %), or a relative

deviation in excess of \pm one-half percent (0.5 %) 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.

II. POPULATION DATABASE

1. The total state population, and the population of defined subunits thereof, as determined by the 2000 federal decennial census shall 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 shall be the exclusive database used for the evaluation of proposed redistricting plans for population equality.

III. DISTRICTS

All district boundaries created by a redistricting plan must follow the census geography.

IV. PROCEDURES OF THE REDISTRICTING COMMITTEES

1. A legislator or member of the public may present to the redistricting committees (the committee in each house having jurisdiction over legislative measures relating to redistricting) any plans or proposals relating to redistricting, including proposals for redistricting specific districts or all of 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 shall be 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, the Board of Regents and the State Board of Education may be combined in any manner.

V. 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. 42 U.S.C. Sec. 1973(a). Section 2 of the Voting Rights Act 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.
 - a. Racial gerrymandering exists when (i) race is the dominant and controlling rationale in drawing district lines and (ii) the legislature subordinates traditional districting principles to racial considerations.
 - b. The traditional districting principles judicially recognized, 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.
3. For the purpose of analyzing the 2000 census data, the redistricting committees 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 Census Bureau as part of the federal decennial census.

VI. PUBLIC PARTICIPATION

1. The redistricting committees shall seek and encourage public participation in all aspects of the reapportionment and redistricting activities and the widest range of public input into the deliberations relating to those activities.
 - a. Notices of all meetings of the redistricting committees will be transmitted to any member of the public who so requests, without charge.
 - b. 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 these rules.
 - c. Each of the redistricting committees, either jointly or separately, shall hold at least one hearing in the southern portion of the state and at least one hearing in a rural portion of this state to allow citizens throughout the state an opportunity to participate in the deliberations relating to the reapportionment and redistricting activities.
2. The Legislative Counsel Bureau shall make available to the public copies of the validated 2000 census database for the cost of reproducing the database.
3. The redistricting committees shall make available for review by the public, copies of all maps prepared at the direction of the committee.

APPENDIX E

Memorandum dated January 11, 2000, from Ted A. Zuend, Deputy Fiscal Analyst,
Fiscal Analysis Division, Legislative Counsel Bureau, to Scott G. Wasserman,
Chief Deputy Legislative Counsel, Legal Division, Legislative Counsel Bureau,
regarding tax revenue distributed based upon population

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MEMORANDUM

DATE: January 11, 2000
TO: Scott Wasserman, Chief Deputy Legislative Counsel
Legal Division
FROM: Ted A. Zuend, Deputy Fiscal Analyst *TAZ*
Fiscal Analysis Division
SUBJECT: **Tax Revenue Distributed Based upon Population**

In response to your request on behalf of the Legislative Commission's Committee on Reapportionment and Redistricting (SCR 1), following is a complete list of all the taxes authorized or imposed by Nevada that are distributed, in whole or in part, on the basis of population.

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 Cent 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 Cent 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 Cent 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 by formula 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 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 by formula to eligible local governments within each county.

TAZ:ss

cc: Robert E. Erickson, Research Division

APPENDIX F

Office of Management and Budget (OMB) Bulletin No. 00-02 dated March 9, 2000,
regarding guidance on aggregation and allocation of data on race for use in civil rights
monitoring and enforcement



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

THE DIRECTOR

March 9, 2000

OMB BULLETIN NO. 00-02

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Guidance on Aggregation and Allocation of Data on Race for Use in Civil Rights Monitoring and Enforcement

1. **Purpose:** This Bulletin establishes guidance for agencies that collect or use aggregate data on race. It also establishes guidance for the allocation of multiple race responses for use in civil rights monitoring and enforcement.
2. **Background:** The Office of Management and Budget (OMB) announced revisions to the standards for classification of Federal data on race and ethnicity in a *Federal Register* Notice of October 30, 1997 (62 FR 58782-58790). Revisions to these standards followed a lengthy process that included considerable public involvement and active participation from more than 30 Federal agencies. The revised standards require, among other things, that agencies offer individuals the opportunity to select one or more races when reporting information on race in Federal data collections. The five minimum race categories are American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, and White.

Census 2000 will be the first nationwide implementation of the revised standards. Data from Census 2000 will capture more accurately the increasing diversity of the Nation's population. Results from Census 2000 will display the full range of single and multiple race reporting by the American people.

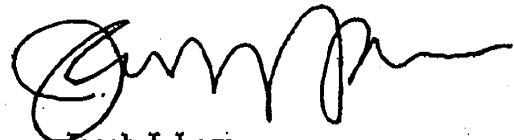
As the revised standards for collecting and presenting data are implemented, we must ensure that we maintain our ability to monitor compliance with laws that offer protections for those who historically have experienced discrimination. In addition, we must minimize reporting burden for institutions such as schools and businesses that report aggregate data on race to Federal agencies.

In response to requests from agencies responsible for monitoring and enforcing civil rights laws, OMB has led an interagency group to develop guidance. This guidance addresses the collection of aggregate data when agencies request information from businesses, schools, and other entities. The guidance also addresses the allocation by agencies of responses, whether individual or aggregate, for use in civil rights monitoring and enforcement.

3. **Guidance for aggregation and allocation of multiple race responses for use in civil rights monitoring and enforcement:** The attached guidance is designed to be straightforward and easy to implement. It provides consistency across agencies responsible for enforcing civil rights laws, and does not preclude the use of more detailed

data if an agency chooses to do so. The guidance does not involve methods that require either fractional or double counting of individuals, or arbitrary allocation of responses to one minority group versus another.

4. **Implementation process:** OMB will continue to work closely with the enforcement agencies and the civil rights community to assess these methods as they are implemented over the next few years and to consider the need for future modifications. The guidance provided in this Bulletin will be reflected in the Provisional Guidance on the Implementation of the 1997 Standards for Federal Data on Race and Ethnicity that will be available from OMB later this year.
5. **Inquiries:** Inquiries concerning the information in this Bulletin should be directed to Katherine K. Wallman, Chief Statistician (202-395-3093).



Jacob J. Lew
Director

Attachment

**Guidance on Aggregation and Allocation of Multiple Race Responses
for Use in Civil Rights Monitoring and Enforcement**

L. Aggregation Guidance: Census 2000 will provide 63 categories of data on the population by race; these data will be available by April 1, 2001, at the national, state, local, and census tract levels. Data collected by Federal enforcement agencies often are provided by businesses and institutions in aggregate form. To facilitate agency efforts to work with data on race, an aggregation method is presented below. This method keeps intact the five single race categories, and includes the four double race combinations most frequently reported in recent studies. The method also provides for the collection of information on any multiple race combinations that comprise more than one percent of the population of interest. Based on data from Census 2000, responsible agencies will determine which additional combinations meet the one percent threshold for the relevant jurisdictions. A balance category is provided to report those individual responses that are not included in (1) one of the five single race categories or four double race combinations or (2) other combinations that represent more than one percent of the population in a jurisdiction. The following *example* illustrates this guidance.

1	American Indian or Alaska Native
2	Asian
3	Black or African American
4	Native Hawaiian or Other Pacific Islander
5	White
6	American Indian or Alaska Native <i>and</i> White
7	Asian <i>and</i> White
8	Black or African American <i>and</i> White
9	American Indian or Alaska Native <i>and</i> Black or African American
10	> 1 percent: Fill in if applicable ¹ _____
11	> 1 percent: Fill in if applicable _____
12	Balance of individuals reporting more than one race
13	Total

¹Based on Census 2000 data, agencies will determine the race combinations that meet the one percent threshold. For example, in Hawaii there may well be combinations of race groups that meet this threshold such as Native Hawaiian or Other Pacific Islander *and* Asian, or Native Hawaiian or Other Pacific Islander *and* White, or Native Hawaiian or Other Pacific Islander *and* Asian *and* White.

II. Allocation Guidance: Federal agencies will use the following rules to allocate multiple race responses for use in civil rights monitoring and enforcement.

- Responses in the five single race categories are not allocated.
- Responses that combine one minority race and white are allocated to the minority race.
- Responses that include two or more minority races are allocated as follows:
 - If the enforcement action is in response to a complaint, allocate to the race that the complainant alleges the discrimination was based on.
 - If the enforcement action requires assessing disparate impact or discriminatory patterns, analyze the patterns based on alternative allocations to each of the minority groups.

Allocation for enforcement purposes should not be confused with various allocation methods under consideration for "bridging" to past data collections as described in OMB's Provisional Guidance on the Implementation of the 1997 Standards for Federal Data on Race and Ethnicity. These bridging methods would take advantage of information being gleaned from Census 2000 and other experimental work being carried out by the statistical agencies. The principal purpose of allocation for bridging is to conduct trend or time series analysis.

APPENDIX G

Senate Legislative Districts—Population Estimates

Senate Legislative Districts--Population Estimates

Senate District	Represented by Senator(s)	1990 Census	2000 Estimate*	Estimated Percent Change
Clark 1	Porter	57,718	225,689	291.0%
Clark 2	Carlton and Shaffer	113,644	160,293	41.0%
Clark 3	Coffin and Wiener	113,437	134,725	18.8%
Clark 4	Neal	56,627	73,755	30.2%
Clark 5	O'Connell and O'Donnell	114,909	295,018	156.7%
Clark 6	Rawson	56,935	163,244	186.7%
Clark 7	Care and Titus	114,420	160,293	40.1%
Clark 8	James and Schneider	113,769	159,310	40.0%
Washoe 1	Mathews	57,736	76,705	32.9%
Washoe 2	Washington	57,816	68,346	18.2%
Washoe 3	Raggio	58,022	82,113	41.5%
Washoe 4	Townsend	57,768	66,871	15.8%
Northern Nevada	Rhoads	57,442	81,622	42.1%
Central Nevada	McGinness	57,658	86,538	50.1%
Capital Nevada	Amodei	56,525	77,688	37.4%
Western Nevada	Jacobsen	57,407	86,047	49.9%
Clark County		741,459	1,372,327	85.1%
Washoe County		254,667	327,470	28.6%
Balance of State		205,707	298,460	45.1%
State Total		1,201,833	1,998,257	66.3%

Note: The average population required for a district in a 21-member Senate for 2001 redistricting purposes is 95,155.

*Estimated population per District in 2000 was derived from 1997 estimates from *Congressional Quarterly Inc.*, State Demographer projections, voter registration statistics, and local government data. These estimates are subject to change if more current data becomes available. Actual Census Population Counts by District are not expected to be available until March 2001. State total population figure released by the U.S. Census Bureau on December 28, 2000.

APPENDIX H

Assembly Legislative Districts—Population Estimates

Assembly Legislative Districts--Population Estimates

Assembly District	Represented by Assembly Member	1990 Census	2000 Estimate*	Estimated Percent Change
1	Collins	28,485	56,545	98.5%
2	Berman	28,187	57,529	104.1%
3	Lee	28,515	31,960	12.1%
4	Beers	28,748	105,715	267.7%
5	Cegavske	28,969	41,303	42.6%
6	Williams	28,267	29,994	6.1%
7	Arberry	28,360	43,761	54.3%
8	Buckley	28,286	39,336	39.1%
9	Giunchigliani	28,207	29,010	2.8%
10	Goldwater	28,309	40,319	42.4%
11	Bache	28,635	34,419	20.2%
12	Ohrenschall	28,921	48,186	66.6%
13	Nolan	28,550	135,708	375.3%
14	Koivisto	28,599	38,352	34.1%
15	McClain	28,380	32,452	14.3%
16	Ocegura	28,464	35,402	24.4%
17	Price	28,667	59,004	105.8%
18	Manendo	28,712	40,319	40.4%
19	Claborn	28,581	34,419	20.4%
20	Von Tobel	29,199	114,074	290.7%
21	Tiffany	28,953	79,655	175.1%
22	Brown	28,257	110,140	289.8%
23	Perkins	28,487	45,236	58.8%
24	Freeman	28,970	31,960	10.3%
25	Gibbons	28,926	31,960	10.5%
26	Humke	28,617	34,419	20.3%
27	Leslie	28,295	31,469	11.2%
28	Chowning	28,073	24,585	-12.4%
29	Angle	28,460	49,661	74.5%
30	Smith	28,910	35,894	24.2%
31	Anderson	28,906	32,452	12.3%
32	Gustavson	28,985	43,269	49.3%
33	Carpenter	28,470	39,336	38.2%
34	Marvel	28,972	42,286	46.0%
35	de Braga	28,283	37,369	32.1%
36	Neighbors	29,375	49,170	67.4%
37	Brower	28,800	42,286	46.8%
38	Dini	28,959	46,711	61.3%
39	Hettrick	28,781	44,744	55.5%
40	Parnell	28,665	32,944	14.9%
41	Parks	28,165	33,435	18.7%
42	Mortenson	28,483	31,469	10.5%
Clark County		741,459	1,372,327	85.1%
Washoe County		254,667	327,470	28.6%
Balance of State		205,707	298,460	45.1%
State Total		1,201,833	1,998,257	66.3%

Note: The average population required for a district in a 42-member Assembly for 2001 redistricting purposes is 47,578.

*Estimated population per District in 2000 was derived from 1997 estimates from *Congressional Quarterly Inc.*, State Demographer projections, voter registration statistics, and local government data. These estimates are subject to change if more current data becomes available. Actual Census Population Counts by District are not expected to be available until March 2001. State total population figure released by the U.S. Census Bureau on December 28, 2000.

Revised: December 28, 2000
Research Division
Legislative Counsel Bureau

APPENDIX I

Record Layout, P.L. 94-171 Redistricting Data, issued November 1999 by the
U.S. Department of Commerce, Economics and Statistics Administration, Census Bureau

Record Layout P.L. 94-171 Redistricting Data

1999

Issued November 1999

Census 2000



U.S. Department of Commerce
William M. Daley,
Secretary

Robert L. Mallett,
Deputy Secretary

**Economics
and Statistics
Administration**
Robert J. Shapiro,
Under Secretary for
Economic Affairs

U.S. CENSUS BUREAU
Kenneth Prewitt,
Director

Census 2000 Record Layout
P.L. 94-171 Redistricting Data
63 Race Categories

Description	Field Name	Starting Position	Cell Size
File Identification	FILEID	1	8
State/US-Abbreviation (USPS)	STUSAB	9	2
Summary Level	SUMLEV	11	3
Geographic Component	GEOCOMP	14	2
Characteristic Iteration	CHARITER	16	4
Logical Record Number	LOGRECNO	20	6

GEOGRAPHIC AREA CODES

Region	REGION	26	1
Division	DIVISION	27	1
State (Census)	STATECE	28	2
State (FIPS)	STATE	30	2
County (FIPS)	COUNTY	32	3
County Size Code	COUNTYSC	35	2
County Subdivision (FIPS)	COUSUBFP	37	5
FIPS County Subdivision Class Code	COUSUBCC	42	2
County Subdivision Size Code	COUSUBSC	44	2
Place (FIPS)	PLACE	46	5
FIPS Place Class Code	PLACECC	51	2
Place Description Code	PLACEDC	53	1
Place Size Code	PLACESC	54	2
Census Tract	TRACT	56	6
Block Group	BLKGRP	62	1
Block	BLOCK	63	4
Internal Use Code	IUC	67	2
Consolidated City (FIPS)	CONCITFP	69	5
FIPS Consolidated City Class Code	CONCITCC	74	2
Consolidated City Size Code	CONCITSC	76	2
American Indian Area/Alaska Native Area/Hawaiian Home Land (Census)	AIANHHE	78	4
American Indian Area/Alaska Native Area/Hawaiian Home Land (FIPS)	AIANHHP	82	5
FIPS American Indian Area/Alaska Native Area/Hawaiian Home Land Class Code	AIANHCC	87	2
American Indian/Hawaiian Home Land Trust Land Indicator	AIHHTLI	89	1
American Indian Tribal Subdivision (Census)	AITSC	90	3
American Indian Tribal Subdivision (FIPS)	AIT	93	5
FIPS American Indian Tribal Subdivision Class Code	AITSCC	98	2
Alaska Native Regional Corporation (FIPS)	ANRC	100	5
FIPS Alaska Native Regional Corporation Class Code	ANRCCC	105	2
Metropolitan Statistical Area/Consolidated			
Metropolitan Statistical Area	MSACMSA	107	4
MSA/CMSA Size Code	MASC	111	2
Consolidated Metropolitan Statistical Area	CMSA	113	2
Metropolitan Area Central City Indicator	MACCI	115	1
Primary Metropolitan Statistical Area	PMSA	116	4
New England County Metropolitan Area	NECMA	120	4
New England County Metropolitan Area Class Code	NECMACC	124	1
New England County Metropolitan Area Size Code	NECMASC	125	2
Extended Entity Indicator	EXI	127	1
Urbanized Area	UA	128	5
Urbanized Area Size Code	UASC	133	2

Census 2000 Record Layout
P.L. 94-171 Redistricting Data
63 Race Categories

Description	Field Name	Starting Position	Cell Size
Urbanized Area Central Place Indicator	UACPI	135	1
Urban/Rural	UR	136	1
Congressional District (106th)	CD106	137	2
Congressional District (108th)	CD108	139	2
Congressional District (109th)	CD109	141	2
Congressional District (110th)	CD110	143	2
State Legislative District (Upper Chamber)	SLDU	145	3
State Legislative District (Lower Chamber)	SLDL	148	3
Voting District	VTD	151	6
Voting District Indicator	VTDI	157	1
ZIP Code Tabulation Area (3 digit)	ZCTA3	158	3
ZIP Code Tabulation Area (5 digit)	ZCTA5	161	5
Sub-Minor Civil Division (FIPS)	SUBMCDFP	166	5
FIPS Sub-Minor Civil Division Class Code	SUBMCDCC	171	2

AREA CHARACTERISTICS

Area (Land)	AREALAND	173	14
Area (Water)	AREAWATR	187	14
Area Name/LSAD Term/Part Indicator	NAME	201	90
Functional Status Code	FUNCSTAT	291	1
Geographic Change User Note Indicator	GCUNI	292	1
Population Count (100%)	POP100	293	9
Housing Unit Count (100%)	HU100	302	9
Internal Point (Latitude)	INTPTLAT	311	9
Internal Point (Longitude)	INTPTLON	320	10
Legal/Statistical Area Description Code	LSADC	330	2
Part Flag	PARTFLAG	332	1

SPECIAL AREA CODES

School District (Elementary)	SDELM	333	5
School District (Secondary)	SDSEC	338	5
School District (Unified)	SDUNI	343	5
Traffic Analysis Zone	TAZ	348	6
Oregon Urban Growth Area	UGA	354	5
Public Use Microdata Area - 5% File	PUMA5	359	5
Public Use Microdata Area - 1% File	PUMA1	364	5
Reserved	RESERVED	369	32

PL1. RACE [70]

Universe: Total population

Total:	401	9
Population of one race:	410	9
White alone	419	9
Black or African American alone	428	9
American Indian and Alaska Native alone	437	9
Asian alone	446	9
Native Hawaiian and Other Pacific Islander alone	455	9
Some other race alone	464	9

Census 2000 Record Layout
P.L. 94-171 Redistricting Data
63 Race Categories

Description	Field Name	Starting Position	Cell Size
<i>Population of two or more races:</i>		473	9
<i>Population of two races:</i>		482	9
White; Black or African American		491	9
White; American Indian and Alaska Native		500	9
White; Asian		509	9
White; Native Hawaiian and Other Pacific Islander		518	9
White; Some other race		527	9
Black or African American; American Indian and Alaska Native		536	9
Black or African American; Asian		545	9
Black or African American; Native Hawaiian and Other Pacific Islander		554	9
Black or African American; Some other race		563	9
American Indian and Alaska Native; Asian		572	9
American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander		581	9
American Indian and Alaska Native; Some other race		590	9
Asian; Native Hawaiian and Other Pacific Islander		599	9
Asian; Some other race		608	9
Native Hawaiian and Other Pacific Islander; Some other race		617	9
<i>Population of three races:</i>		626	9
White; Black or African American; American Indian and Alaska Native		635	9
White; Black or African American; Asian		644	9
White; Black or African American; Native Hawaiian and Other Pacific Islander		653	9
White; Black or African American; Some other race		662	9
White; American Indian and Alaska Native; Asian		671	9
White; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander		680	9
White; American Indian and Alaska Native; Some other race		689	9
White; Asian; Native Hawaiian and Other Pacific Islander		698	9
White; Asian; Some other race		707	9
White; Native Hawaiian and Other Pacific Islander; Some other race		716	9
Black or African American; American Indian and Alaska Native; Asian		725	9
Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander		734	9
Black or African American; American Indian and Alaska Native; Some other race		743	9
Black or African American; Asian; Native Hawaiian and Other Pacific Islander		752	9
Black or African American; Asian; Some other race		761	9
Black or African American; Native Hawaiian and Other Pacific Islander; Some other race		770	9
American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander		779	9
American Indian and Alaska Native; Asian; Some other race		788	9
American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander; Some other race		797	9
Asian; Native Hawaiian and Other Pacific Islander; Some other race		806	9
<i>Population of four races:</i>		815	9
White; Black or African American; American Indian and Alaska Native; Asian		824	9
White; Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander		833	9
White; Black or African American; American Indian and Alaska Native; Some other race		842	9
White; Black or African American; Asian; Native Hawaiian and Other Pacific Islander		851	9
White; Black or African American; Asian; Some other race		860	9
White; Black or African American; Native Hawaiian and Other Pacific Islander;			

Census 2000 Record Layout
P.L. 94-171 Redistricting Data
63 Race Categories

Description	Field Name	Starting Position	Cell Size
Some other race		869	9
White; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander		878	9
White; American Indian and Alaska Native; Asian; Some other race		887	9
White; American Indian and Alaska Native;			
Native Hawaiian and Other Pacific Islander; Some other race		896	9
White; Asian; Native Hawaiian and Other Pacific Islander; Some other race		905	9
Black or African American; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander		914	9
Black or African American; American Indian and Alaska Native; Asian;			
Some other race		923	9
Black or African American; American Indian and Alaska Native;			
Native Hawaiian and Other Pacific Islander; Some other race		932	9
Black or African American; Asian; Native Hawaiian and Other Pacific Islander;			
Some other race		941	9
American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		950	9
<i>Population of five races:</i>		959	9
White; Black or African American; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander		968	9
White; Black or African American; American Indian and Alaska Native; Asian;			
Some other race		977	9
White; Black or African American; American Indian and Alaska Native;			
Native Hawaiian and Other Pacific Islander; Some other race		986	9
White; Black or African American; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		995	9
White; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		1004	9
Black or African American; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		1013	9
<i>Population of six races:</i>		1022	9
White; Black or African American; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		1031	9
PL2. NOT HISPANIC OR LATINO BY RACE [72]			
Universe: Total population			
<i>Total:</i>		1040	9
Hispanic or Latino		1049	9
<i>Not Hispanic or Latino:</i>		1058	9
<i>Population of one race:</i>		1067	9
White alone		1076	9
Black or African American alone		1085	9
American Indian and Alaska Native alone		1094	9
Asian alone		1103	9
Native Hawaiian and Other Pacific Islander alone		1112	9
Some other race alone		1121	9
<i>Population of two or more races:</i>		1130	9
<i>Population of two races:</i>		1139	9
White; Black or African American		1148	9
White; American Indian and Alaska Native		1157	9
White; Asian		1166	9

Census 2000 Record Layout
P.L. 94-171 Redistricting Data
63 Race Categories

Description	Field Name	Starting Position	Cell Size
White; Native Hawaiian and Other Pacific Islander		1175	9
White; Some other race		1184	9
Black or African American; American Indian and Alaska Native		1193	9
Black or African American; Asian		1202	9
Black or African American; Native Hawaiian and Other Pacific Islander		1211	9
Black or African American; Some other race		1220	9
American Indian and Alaska Native; Asian		1229	9
American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander		1238	9
American Indian and Alaska Native; Some other race		1247	9
Asian; Native Hawaiian and Other Pacific Islander		1256	9
Asian; Some other race		1265	9
Native Hawaiian and Other Pacific Islander; Some other race		1274	9
<i>Population of three races:</i>		1283	9
White; Black or African American; American Indian and Alaska Native		1292	9
White; Black or African American; Asian		1301	9
White; Black or African American; Native Hawaiian and Other Pacific Islander		1310	9
White; Black or African American; Some other race		1319	9
White; American Indian and Alaska Native; Asian		1328	9
White; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander		1337	9
White; American Indian and Alaska Native; Some other race		1346	9
White; Asian; Native Hawaiian and Other Pacific Islander		1355	9
White; Asian; Some other race		1364	9
White; Native Hawaiian and Other Pacific Islander; Some other race		1373	9
Black or African American; American Indian and Alaska Native; Asian		1382	9
Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander		1391	9
Black or African American; American Indian and Alaska Native; Some other race		1400	9
Black or African American; Asian; Native Hawaiian and Other Pacific Islander		1409	9
Black or African American; Asian; Some other race		1418	9
Black or African American; Native Hawaiian and Other Pacific Islander; Some other race		1427	9
American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander		1436	9
American Indian and Alaska Native; Asian; Some other race		1445	9
American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander; Some other race		1454	9
Asian; Native Hawaiian and Other Pacific Islander; Some other race		1463	9
<i>Population of four races:</i>		1472	9
White; Black or African American; American Indian and Alaska Native; Asian		1481	9
White; Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander		1490	9
White; Black or African American; American Indian and Alaska Native; Some other race		1499	9
White; Black or African American; Asian; Native Hawaiian and Other Pacific Islander		1508	9
White; Black or African American; Asian; Some other race		1517	9
White; Black or African American; Native Hawaiian and Other Pacific Islander; Some other race		1526	9
White; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander		1535	9
White; American Indian and Alaska Native; Asian; Some other race		1544	9

Census 2000 Record Layout
P.L. 94-171 Redistricting Data
63 Race Categories

Description	Field Name	Starting Position	Cell Size
White; American Indian and Alaska Native;			
Native Hawaiian and Other Pacific Islander; Some other race		1553	9
White; Asian; Native Hawaiian and Other Pacific Islander; Some other race		1562	9
Black or African American; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander		1571	9
Black or African American; American Indian and Alaska Native; Asian;			
Some other race		1580	9
Black or African American; American Indian and Alaska Native;			
Native Hawaiian and Other Pacific Islander; Some other race		1589	9
Black or African American; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		1598	9
American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		1607	9
<i>Population of five races:</i>		1616	9
White; Black or African American; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander		1625	9
White; Black or African American; American Indian and Alaska Native; Asian;			
Some other race		1634	9
White; Black or African American; American Indian and Alaska Native;			
Native Hawaiian and Other Pacific Islander; Some other race		1643	9
White; Black or African American; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		1652	9
White; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		1661	9
Black or African American; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		1670	9
<i>Population of six races:</i>		1679	9
White; Black or African American; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		1688	9
PL3. RACE [70]			
Universe: Total population 18 years and over			
Total:		1697	9
<i>Population of one race:</i>		1706	9
White alone		1715	9
Black or African American alone		1724	9
American Indian and Alaska Native alone		1733	9
Asian alone		1742	9
Native Hawaiian and Other Pacific Islander alone		1751	9
Some other race alone		1760	9
<i>Population of two or more races:</i>		1769	9
<i>Population of two races:</i>		1778	9
White; Black or African American		1787	9
White; American Indian and Alaska Native		1796	9
White; Asian		1805	9
White; Native Hawaiian and Other Pacific Islander		1814	9
White; Some other race		1823	9
Black or African American; American Indian and Alaska Native		1832	9
Black or African American; Asian		1841	9
Black or African American; Native Hawaiian and Other Pacific Islander		1850	9
Black or African American; Some other race		1859	9

Census 2000 Record Layout
P.L. 94-171 Redistricting Data
63 Race Categories

Description	Field Name	Starting Position	Cell Size
American Indian and Alaska Native; Asian		1868	9
American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander		1877	9
American Indian and Alaska Native; Some other race		1886	9
Asian; Native Hawaiian and Other Pacific Islander		1895	9
Asian; Some other race		1904	9
Native Hawaiian and Other Pacific Islander; Some other race		1913	9
<i>Population of three races:</i>		1922	9
White; Black or African American; American Indian and Alaska Native		1931	9
White; Black or African American; Asian		1940	9
White; Black or African American; Native Hawaiian and Other Pacific Islander		1949	9
White; Black or African American; Some other race		1958	9
White; American Indian and Alaska Native; Asian		1967	9
White; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander		1976	9
White; American Indian and Alaska Native; Some other race		1985	9
White; Asian; Native Hawaiian and Other Pacific Islander		1994	9
White; Asian; Some other race		2003	9
White; Native Hawaiian and Other Pacific Islander; Some other race		2012	9
Black or African American; American Indian and Alaska Native; Asian		2021	9
Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander		2030	9
Black or African American; American Indian and Alaska Native; Some other race		2039	9
Black or African American; Asian; Native Hawaiian and Other Pacific Islander		2048	9
Black or African American; Asian; Some other race		2057	9
Black or African American; Native Hawaiian and Other Pacific Islander; Some other race		2066	9
American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander		2075	9
American Indian and Alaska Native; Asian; Some other race		2084	9
American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander; Some other race		2093	9
Asian; Native Hawaiian and Other Pacific Islander; Some other race		2102	9
<i>Population of four races:</i>		2111	9
White; Black or African American; American Indian and Alaska Native; Asian		2120	9
White; Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander		2129	9
White; Black or African American; American Indian and Alaska Native; Some other race		2138	9
White; Black or African American; Asian; Native Hawaiian and Other Pacific Islander		2147	9
White; Black or African American; Asian; Some other race		2156	9
White; Black or African American; Native Hawaiian and Other Pacific Islander; Some other race		2165	9
White; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander		2174	9
White; American Indian and Alaska Native; Asian; Some other race		2183	9
White; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander; Some other race		2192	9
White; Asian; Native Hawaiian and Other Pacific Islander; Some other race		2201	9
Black or African American; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander		2210	9
Black or African American; American Indian and Alaska Native; Asian; Some other race		2219	9

Census 2000 Record Layout
P.L. 94-171 Redistricting Data
63 Race Categories

Description	Field Name	Starting Position	Cell Size
Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander; Some other race		2228	9
Black or African American; Asian; Native Hawaiian and Other Pacific Islander; Some other race		2237	9
American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander; Some other race		2246	9
<i>Population of five races:</i>		2255	9
White; Black or African American; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander		2264	9
White; Black or African American; American Indian and Alaska Native; Asian; Some other race		2273	9
White; Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander; Some other race		2282	9
White; Black or African American; Asian; Native Hawaiian and Other Pacific Islander; Some other race		2291	9
White; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander; Some other race		2300	9
Black or African American; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander; Some other race		2309	9
<i>Population of six races:</i>		2318	9
White; Black or African American; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander; Some other race		2327	9
PL4. NOT HISPANIC OR LATINO BY RACE [72]			
Universe: Total population 18 years and over			
<i>Total:</i>		2336	9
Hispanic or Latino		2345	9
<i>Not Hispanic or Latino:</i>		2354	9
<i>Population of one race:</i>		2363	9
White alone		2372	9
Black or African American alone		2381	9
American Indian and Alaska Native alone		2390	9
Asian alone		2399	9
Native Hawaiian and Other Pacific Islander alone		2408	9
Some other race alone		2417	9
<i>Population of two or more races:</i>		2426	9
<i>Population of two races:</i>		2435	9
White; Black or African American		2444	9
White; American Indian and Alaska Native		2453	9
White; Asian		2462	9
White; Native Hawaiian and Other Pacific Islander		2471	9
White; Some other race		2480	9
Black or African American; American Indian and Alaska Native		2489	9
Black or African American; Asian		2498	9
Black or African American; Native Hawaiian and Other Pacific Islander		2507	9
Black or African American; Some other race		2516	9
American Indian and Alaska Native; Asian		2525	9
American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander		2534	9
American Indian and Alaska Native; Some other race		2543	9
Asian; Native Hawaiian and Other Pacific Islander		2552	9
Asian; Some other race		2561	9

Census 2000 Record Layout
P.L. 94-171 Redistricting Data
63 Race Categories

Description	Field Name	Starting Position	Cell Size
Native Hawaiian and Other Pacific Islander; Some other race		2570	9
<i>Population of three races:</i>		2579	9
White; Black or African American; American Indian and Alaska Native		2588	9
White; Black or African American; Asian		2597	9
White; Black or African American; Native Hawaiian and Other Pacific Islander		2606	9
White; Black or African American; Some other race		2615	9
White; American Indian and Alaska Native; Asian		2624	9
White; American Indian and Alaska Native;			
Native Hawaiian and Other Pacific Islander		2633	9
White; American Indian and Alaska Native; Some other race		2642	9
White; Asian; Native Hawaiian and Other Pacific Islander		2651	9
White; Asian; Some other race		2660	9
White; Native Hawaiian and Other Pacific Islander; Some other race		2669	9
Black or African American; American Indian and Alaska Native; Asian		2678	9
Black or African American; American Indian and Alaska Native;			
Native Hawaiian and Other Pacific Islander		2687	9
Black or African American; American Indian and Alaska Native; Some other race		2696	9
Black or African American; Asian; Native Hawaiian and Other Pacific Islander		2705	9
Black or African American; Asian; Some other race		2714	9
Black or African American; Native Hawaiian and Other Pacific Islander;			
Some other race		2723	9
American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander		2732	9
American Indian and Alaska Native; Asian; Some other race		2741	9
American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander;			
Some other race		2750	9
Asian; Native Hawaiian and Other Pacific Islander; Some other race		2759	9
<i>Population of four races:</i>		2768	9
White; Black or African American; American Indian and Alaska Native; Asian		2777	9
White; Black or African American; American Indian and Alaska Native;			
Native Hawaiian and Other Pacific Islander		2786	9
White; Black or African American; American Indian and Alaska Native;			
Some other race		2795	9
White; Black or African American; Asian; Native Hawaiian and Other Pacific Islander		2804	9
White; Black or African American; Asian; Some other race		2813	9
White; Black or African American; Native Hawaiian and Other Pacific Islander;			
Some other race		2822	9
White; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander		2831	9
White; American Indian and Alaska Native; Asian; Some other race		2840	9
White; American Indian and Alaska Native;			
Native Hawaiian and Other Pacific Islander; Some other race		2849	9
White; Asian; Native Hawaiian and Other Pacific Islander; Some other race		2858	9
Black or African American; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander		2867	9
Black or African American; American Indian and Alaska Native; Asian;			
Some other race		2876	9
Black or African American; American Indian and Alaska Native;			
Native Hawaiian and Other Pacific Islander; Some other race		2885	9
Black or African American; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		2894	9

Census 2000 Record Layout
P.L. 94-171 Redistricting Data
63 Race Categories

Description	Field Name	Starting Position	Cell Size
American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		2903	9
<i>Population of five races:</i>		2912	9
White; Black or African American; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander		2921	9
White; Black or African American; American Indian and Alaska Native; Asian;			
Some other race		2930	9
White; Black or African American; American Indian and Alaska Native;			
Native Hawaiian and Other Pacific Islander; Some other race		2939	9
White; Black or African American; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		2948	9
White; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		2957	9
Black or African American; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		2966	9
<i>Population of six races:</i>		2975	9
White; Black or African American; American Indian and Alaska Native; Asian;			
Native Hawaiian and Other Pacific Islander; Some other race		2984	9

APPENDIX J

Letter dated May 16, 1995, from Nevada's Governor and Legislature to the U.S. Department of Commerce, Census Bureau, expressing Nevada's intent to participate in the Census Bureau's Block Boundary Suggestion Program (Phase 1)



Nevada Legislature

May 16, 1995

Martha Farnsworth Riche, Director
United States Bureau of the Census
Washington, D.C. 20233

Dear Director Riche:

Thank you for your letter of April 6, 1995, inviting the State of Nevada to participate again in the Census Bureau's Block Boundary Suggestion Program. We hereby accept your invitation to participate and designate Mr. Lorne J. Malkiewich as our liaison with your staff. Mr. Malkiewich is Director of the Legislative Counsel Bureau, the central, non-partisan staff arm of the Nevada Legislature.

You may contact him as follows:

Lorne J. Malkiewich, Director
Legislative Counsel Bureau
Capitol Complex
Carson City, NV 89710
Telephone: (702) 687-6800
Fax: (702) 687-5962

Thank you for affording us the opportunity to participate in this excellent program.

Sincerely,

Robert J. Miller, Governor of Nevada

William J. Raggio, Senate Majority Floor Leader (R)

Dina Titus, Senate Minority Floor Leader (D)

Joseph E. Dini, Assembly Co-Speaker (D)

Lynn C. Hettrick, Assembly Co-Speaker (R)

rsdiv/census

APPENDIX K

Letter dated May 28, 1998, from Nevada's Governor and Legislature to the U.S. Department of Commerce, Census Bureau, expressing Nevada's intent to participate in Phase 2 of the Census 2000 Redistricting Data Program



Nevada Legislature

May 28, 1998

James F. Holmes, Acting Director
United States Department of Commerce
Bureau of the Census
Washington, D.C. 20233-0001

Dear Director Holmes:

Thank you for your letter of May 18, 1998, inviting the State of Nevada to participate in Phase 2 of the Census 2000 Redistricting Data Program, which will begin later this year. We hereby accept your invitation to participate and designate Mr. Lorne J. Malkiewich as our liaison with your staff. Mr. Malkiewich is Director of the Legislative Counsel Bureau, the central, non-partisan staff arm of the Nevada Legislature.

You may contact him as follows:

Lorne J. Malkiewich, Director
Legislative Counsel Bureau
Capitol Complex
Carson City, NV 89701
Telephone: (702) 687-6800
FAX: (702) 687-5962

Thank you for affording us the opportunity to participate in this excellent program.

Sincerely,

Robert J. Miller, Governor of Nevada

William J. Raggio, Senate Majority Floor Leader (R)

Dina Titus, Senate Minority Floor Leader (D)

Joseph E. Dini, Speaker of the Assembly (D)

Lynn C. Hettrick, Minority Floor Leader (R)

APPENDIX L

Letter dated October 16, 1998, from Scott G. Wasserman, Chief Deputy
Legislative Counsel, Legal Division, Legislative Counsel Bureau,
to Marshall L. Turner, Jr., Chief, Census 2000 Redistricting Data Office,
U.S. Department of Commerce, Census Bureau, requesting that Nevada
be considered for priority delivery of census data

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
401 S. CARSON STREET
CARSON CITY, NEVADA 89701-4747
Fax No.: (702) 687-5962



LEGISLATIVE COMMISSION (702) 687-6800
RICHARD D. PERKINS, *Assemblyman, Chairman*
Lorne J. Malkiewich, *Director, Secretary*

INTERIM FINANCE COMMITTEE (702) 687-6821
WILLIAM J. RAGGIO, *Senator, Chairman*
Daniel G. Miles, *Fiscal Analyst*
Mark W. Stevens, *Fiscal Analyst*

LORNE J. MALKIEWICH, *Director*
(702) 687-6800

Wm. GARY CREWS, *Legislative Auditor* (702) 687-6815
ROBERT E. ERICKSON, *Research Director* (702) 687-6825
BRENDA J. ERDOES, *Legislative Counsel* (702) 687-6830

October 16, 1998

Marshall L. Turner, Jr., Chief
Census 2000 Redistricting Data Office
United States Department of Commerce
Bureau of the Census
Washington, D.C. 20233-0001

Dear Mr. Turner:

At the request of Lorne J. Malkiewich, Director of the Legislative Counsel Bureau and Nevada State Liaison with the Bureau of the Census, I am responding to your electronic correspondence dated October 1, 1998, requesting information on state redistricting related deadlines. This information is being requested for use by your office to plan the delivery schedules for the Census 2000 Public Law 94-171 redistricting data and related products.

This correspondence is intended to set out the time constraints facing the Nevada Legislature for redistricting in this state and request consideration for priority delivery of the tabulation of population under Public Law 94-171. Section 5 of Article 4 of the Nevada Constitution provides that it is "the mandatory duty of the legislature" to apportion itself at its first session after the taking of the decennial census.

Under the existing provisions of the Nevada Constitution, the Nevada Legislature will convene on the third Monday in January, 2001 (January 15, 2001). No set deadline is currently established for adjournment, but the Legislature in recent years has concluded its business by the end of June or the early part of July of the session year. The longest session in the state's history occurred in 1997 when it lasted for 169 calendar days and adjourned on July 7, 1997.

On November 3, 1998, the voters in Nevada will consider a constitutional amendment, placed on the ballot by the Nevada Legislature, that will amend the Nevada Constitution

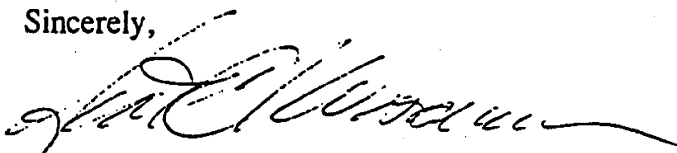
to limit the length of legislative sessions. Pursuant to this proposal the legislative session must convene on the first Monday of February of each odd-numbered year and must adjourn sine die not later than midnight Pacific standard time 120 calendar days following its commencement. Thus, under this proposal, the 2001 Legislative Session would begin on February 5, 2001, and end on or before June 4, 2001. By future correspondence, I will inform your office of the final election results.

We are particularly concerned that the tabulation of population under Public Law 94-171 be reported to the Nevada Legislature as early as possible to allow the redistricting task to be completed during the 2001 Legislative Session as required by the Nevada Constitution. While it is understood that pursuant to federal law the Secretary of Commerce is required to report the tabulation of population of each State by April 1, 2001, if the data is not received by the Nevada Legislature until April 1, 2001, the Legislature will have only two months to accomplish all of its redistricting task. Receipt of this data by February, 2001, obviously would facilitate the Nevada Legislature's completion of their redistricting task as required by the Nevada Constitution and ensure adequate time for the Nevada Legislature to consider redistricting alternatives during the 2001 Legislative Session.

As you are aware, Nevada participated in all phases of the Census 1990 Redistricting Data Program and is currently participating in all phases of the Census 2000 Redistricting Data Program. Please feel free to contact me if we can undertake any additional steps to help facilitate early delivery of the tabulation of population under Public Law 94-171. As a result of the constitutional duty of the Nevada Legislature to apportion itself at its first session after the taking of the decennial census, and because the legislative session historically adjourns by the beginning of July, and may soon be constitutionally required to conclude its business by the beginning of June, 2001, the Nevada Legislature requests consideration by the United States Census Bureau for priority delivery of the tabulation of population under Public Law 94-171.

Thank you for your attention and consideration of the redistricting needs of the Nevada Legislature.

Sincerely,



Scott G. Wasserman
Chief Deputy Legislative Counsel

SGW/dc

cc: Governor Robert J. Miller
Dean Heller, Secretary of State
Senator Lawrence E. Jacobsen, Senate President Pro Tempore
Senator William J. Raggio, Senate Majority Floor Leader
Senator Dina Titus, Senate Minority Floor Leader
Assemblyman Joseph E. Dini, Jr., Speaker of the Assembly
Assemblywoman Jan Evans, Speaker Pro Tempore
Assemblyman Richard D. Perkins, Assembly Majority Floor Leader
Assemblyman Lynn C. Hettrick, Assembly Minority Floor Leader
Assemblyman Peter G. Ernaout, Assistant Minority Floor Leader
Nevada Congressional Delegation
Lin Nary, Census State Data Center Liaison

APPENDIX M

Letter dated December 16, 1999, to Lorne J. Malkiewich, Director,
Legislative Counsel Bureau, from Marshall L. Turner, Jr., Chief, Census 2000
Redistricting Office, U.S. Department of Commerce, Bureau of the Census, regarding
Nevada's participation in the Census 2000 Redistricting Data Program



UNITED STATES DEPARTMENT OF COMMERCE
Bureau of the Census
Washington, DC 20233-0001

OFFICE OF THE DIRECTOR

DEC 16 1999

RETURN RECEIPT REQUESTED

Lorne J. Malkiewich, Director
Legislative Counsel Bureau
Capitol Complex
401 South Carson Street
Carson City, NV 89710

Dear Mr. Malkiewich:

This letter is in regard to the Census 2000 Redistricting Data Program and Nevada's participation. In the State's letter of May 28, 1998, you were designated by the office of the governor and the legislative leaders of the Nevada House and Senate as the liaison with the Census Bureau for Phase 2 of this Program (see enclosed correspondence).

In early January 2000, we will begin to transmit verification census maps and TIGERLine files to participating states, including your state. These materials will allow you to verify that the Census Bureau has accurately recorded the voting district boundaries your state submitted in accordance with the Phase 2 Technical Guidelines. This letter confirms and records our understanding that Nevada's submissions of voting district boundaries for the Census 2000 Redistricting Data Program have been carried out in a nonpartisan manner as required under the provisions of Public Law 94-171 (copy enclosed). If this understanding is not correct, please let me know by letter or e-mail no later than December 24, 1999.

As soon as we have a more precise timetable for delivery of the verification maps and TIGERLine files, we will furnish this information. In the meantime, if you have questions, please let me know, 301.457.4039 or e-mail, mturner@census.gov.

Sincerely,

enc for Marshall L. Turner, Jr.
MARSHALL L. TURNER, JR., Chief
Census 2000 Redistricting Data Office

cc: The Honorable Kenny C. Guinn, Governor
The Honorable Lawrence E. Jacobsen, President Pro Tem
The Honorable William J. Raggio, Senate Majority Floor Leader
The Honorable Alice Costandina Titus, Senate Minority Leader
The Honorable Joseph E. Dini, Jr., Speaker of the Assembly
The Honorable Jan Evans, Speaker Pro Tem
The Honorable Richard D. Perkins, Assembly Majority Leader
The Honorable Lynn Hettrick, Assembly Minority Leader
Scott Wasserman, Legislative Counsel Bureau
Brian Davie, Legislative Services Officer

APPENDIX N

Letter dated April 17, 2000, from Scott G. Wasserman, Chief Deputy Legislative Counsel,
Legal Division, Legislative Counsel Bureau, to Catherine McCully, Assistant Chief,
Census 2000 Redistricting Data Office, U.S. Department of Commerce,
Census Bureau, together with a complete two-page survey titled
“Census 2000 Data and Geographic Products”

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
401 S. CARSON STREET
CARSON CITY, NEVADA 89701-4747
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ANN O'CONNELL, Senator, *Chairman*
Lorne J. Malkiewicz, Director, *Secretary*

INTERIM FINANCE COMMITTEE (775) 684-6821
MORSE ARBERRY, JR., Assemblyman, *Chairman*
Mark W. Stevens, *Fiscal Analyst*
Daniel G. Miles, *Fiscal Analyst*



LORNE J. MALKIEWICH, *Director*
(775) 684-6800

Wm. GARY CREWS, *Legislative Auditor* (775) 684-6815
ROBERT E. ERICKSON, *Research Director* (775) 684-6825
BRENDA J. ERDOES, *Legislative Counsel* (775) 684-6830

April 17, 2000

Catherine McCully, Assistant Chief
Census 2000 Redistricting Data Office
U.S. Census Bureau
Washington, D.C. 20233

Dear Assistant Chief McCully:

This letter is written at the request of and on behalf of the eight legislative members your office addressed in Nevada in your correspondence requesting the receipt of a list of Census 2000 Data and Geographic Products desired by the legislative members for the State of Nevada and for a confirmation of the redistricting deadlines for the State of Nevada.

CENSUS 2000 DATA AND GEOGRAPHIC PRODUCTS

The following is a compiled response on behalf of the eight legislative members in Nevada to your questionnaire titled "Census 2000 Data and Geographic Products" (see enclosure).

The Nevada Legislature would like to receive:

1. Census Block Maps - 1 copy of the paper maps; 8 copies of the HPGL files on DVD and 8 copies of the PDF files on CD Rom.
2. Census 2000 TIGER/Line file - 8 copies of the Tiger/Line files on CD Rom.
3. Adjusted & Unadjusted Block Data from Census 2000 - 8 copies of the adjusted & unadjusted block data from Census 2000 on CD Rom.
4. Voting District Outline Maps - 1 copy of the paper maps; 8 copies of the HPGL files on DVD and 8 copies of the PDF files on CD Rom.
5. Census Tract Outline Maps - 1 copy of the paper maps; 8 copies of the HPGL files on DVD and 8 copies of the PDF files on CD Rom.

You may deliver the products to my attention at the Nevada Legislature, 401 South Carson Street, Carson City, Nevada, 89701. Please feel free to contact me at 775-684-6830 regarding any technical details for delivery of these products.


Marshall L. Turner, Jr., Chief
April 17, 2000
Page 2

REDISTRICTING DEADLINES FOR THE STATE OF NEVADA

Under the state's constitution, each legislative session must convene on the first Monday of February of each odd-numbered year and must adjourn sine die not later than midnight Pacific standard time 120 calendar days following its commencement. Thus, under this provision, the 2001 Legislative Session will begin on February 5, 2001, and end on or before June 4, 2001. Section 5 of Article 4 of the Nevada Constitution provides that it is the mandatory duty of the legislature to apportion itself at its first session after the taking of the decennial census.

Thank you for your attention and consideration of the redistricting needs of the Nevada Legislature. If you have any further questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Scott G. Wasserman
Chief Deputy Legislative Counsel

Enclosure

cc: Lawrence E. Jacobsen, Senate President Pro Tempore
William J. Raggio, Senate Majority Floor Leader
Dina Titus, Senate Minority Floor Leader
Ann O'Connell, Chair, Senate Committee on Government Affairs
Joseph E. Dini, Jr., Speaker of the Assembly
Richard D. Perkins, Majority Floor Leader
Lynn C. Hettrick, Minority Floor Leader
Chris Giunchigliani, Chair, Assembly Committee on Elections,
Procedures and Ethics
Marshall L. Turner, Jr., Chief, Census 2000 Redistricting Data Office

CENSUS 2000 DATA AND GEOGRAPHIC PRODUCTS

(1) **Census Block Maps**--These maps will be available for each county and they will show the boundaries and unique identification codes for each census block for which Census 2000 population data are tabulated. If a state provided boundaries for its voting districts (e.g., election precincts) under the provisions of Public Law 94-171, these maps also will include boundaries and other identifiers for these areas. These map sheets will be approximately 36" by 33" and the number of sheets will vary depending on the number of blocks in a state, population density, etc. NOTE: This product will be available in paper, and also in electronic format as HPGL (Hewlett Packard Graphics Language) files, only on DVD because of file size (for your plotter), and PDF files on CD-ROM (for viewing on your PC). The number of map sheets may range from several hundred to several thousand per state. This is the first available geographic product that will show the Census 2000 geographic boundaries. Paper maps will be delivered to state officials on a flow basis by county.

MEDIUM

TIMING

Paper Maps

January to the end of February 2001.

DVD only

HPGL

April 2001

CD-ROM only

PDF

May 2001

You may request one copy of any or all of these formats:

Do you wish to receive:	paper	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	← 1 copy
Do you wish to receive :	HPGL (DVD only)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	← 8 copies
Do you wish to receive :	PDF (CD-ROM only)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	← 8 copies

(2) **Census 2000 TIGER/Line File**--This product will identify final census 2000 tabulation boundaries, names and codes for census blocks, census tracts, places, counties, and so forth. If a state submitted boundaries for its voting districts and/or state legislative districts under the provisions of Public Law 94-171, these TIGER/Line files also will include boundaries and other identifiers for these areas. This product will be delivered for your entire state on one CD-ROM.. NOTE: This file is intended to be used with redistricting software you develop or purchase from a vendor. Desktop mapping and GIS software may require the use of additional software to translate the TIGER/Line file into the internal format used by your software.

CD-ROM only

TIMING: January to the end of February 2001.

Do you wish to receive a copy of this file for your state? ☒ Yes ☐ No. ← 8 copies

(3) **Unadjusted Block Data from Census 2000**--In compliance with a 1997 law (Public Law 105-119; section 209j), the Census Bureau is required to make publically available, at the same time as the PL 94-171 Redistricting Data, a file that contains the same data items for the same geographic areas but which does not reflect any of the corrections from the Accuracy and Coverage Evaluation for undercounts or overcounts of the population. These data will be delivered on CD-ROM.*

CD-ROM only

TIMING: March to April 1, 2001

Do you wish to receive a copy of these unadjusted block population data? ☒ Yes ☐ No ← 8 copies

(4) Voting District Outline Maps--These paper maps (36" by 33") will show the county and an outline of any state legislative districts (e.g., state house or senate) and any voting districts (e.g., election precincts, wards) that the state submitted under the provisions of the Census 2000 PL 94-171 Redistricting Data Program. NOTE: We expect that the number of maps sheets generally will range from a few to 20 sheets per county, and will be delivered on a flow basis by county. This product will be available in paper, and also in electronic format as HPGL files (for your plotter) and PDF files (for viewing on your PC).

MEDIUM		TIMING
Paper Maps		January to the end of February 2001.
CD-ROM or DVD	HPGL	April 2001.
CD-ROM only	PDF	May 2001

You may request one copy of any or all of these formats:

Do you wish to receive:	paper		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	← 1 copy
Do you wish to receive :	HPGL	(CD-ROM____or DVD____)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	← 8 copies
Do you wish to receive :	PDF	(CD-ROM only)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	← 8 copies

(5) Census Tract Outline Maps--These paper maps (36" by 33") will show the boundaries of each census tract. NOTE: We expect that the number of maps sheets generally will range from a few to 20 sheets per county, and will be delivered on a flow basis by county. This product will be available in paper, and also in electronic format as HPGL files (for your plotter) and PDF files (for viewing on your PC).

MEDIUM		TIMING
Paper Maps		January to the end of February 2001.
CD-ROM or DVD	HPGL	April 2001.
CD-ROM only	PDF	May 2001

You may request one copy of any or all of these formats:

Do you wish to receive:	paper		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	← 1 copy
Do you wish to receive :	HPGL	(CD-ROM____or DVD____)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	← 8 copies
Do you wish to receive :	PDF	(CD-ROM only)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	← 8 copies

INSTRUCTIONS: Please mark which of these items you wish to receive and return this annotated list with a signed letter which indicates with whom on your staff you wish us to work concerning the technical details for delivery of these products to you or your designated recipient in 2001. Send your letter and list to:

Ms. Catherine McCully
Assistant Chief
Census 2000 Redistricting Data Office
U.S. Census Bureau
Washington, D.C. 20233

If you have questions, please contact Marshall Turner, Chief, Census 2000 Redistricting Data Office or Cathy McCully, Assistant Chief, at 301.457.4039, fax 301.457.4348.

APPENDIX O

Transmittal letter dated December 28, 2000, from Marshall L. Turner, Jr., Chief,
Census 2000 Redistricting Data Office, U.S. Department of Commerce,
Census Bureau, to Scott G. Wasserman, Chief Deputy Legislative Counsel,
Legal Division, Legislative Counsel Bureau, regarding provision of
Redistricting Census 2000 TIGER/Line files to Nevada



UNITED STATES DEPARTMENT OF COMMERCE
Bureau of the Census
Washington, DC 20233-0001

OFFICE OF THE DIRECTOR

DEC 22 2000

Mr. Scott Wasserman
Chief Deputy Legislative Council
401 South Carson Street
Carson City, NV 89701

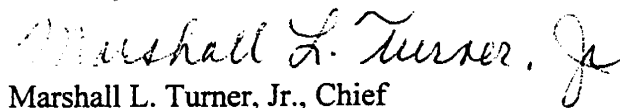
Dear Mr. Wasserman:

As we noted in my letter of March 1, 2000 to the governor and majority and minority legislative leaders, we expect that the release of Census 2000 P.L. 94-171 Redistricting Data Summary File will begin, on a flow basis by state, in March and be completed by April 1, 2001.

That letter also indicated that we would make every effort to deliver the "redistricting" version of the Redistricting Census 2000 TIGER/Line Files to your legislative leaders and governor by March 1, 2001, so that you could begin redistricting preparations before the population data arrive later that month. We are pleased to be able to enclose, herewith, a CD-ROM containing that file for your state. It should be noted that this version does not include ZIP CODE Tabulation Areas (ZCTAs) or the final Census 2000 address ranges.

This fulfills your request for TIGER/Line files as noted in your reply to our letter of March 1, 2000. If you have any questions, please contact Cathy McCully, Assistant Chief of this Office, at 301-457-4039 or send e-mail to RDO@census.gov.

Sincerely,



Marshall L. Turner, Jr., Chief
Census 2000 Redistricting Data Office

cc: The Honorable Lawrence E. Jacobsen, Senate President Pro Tem
The Honorable William J. Raggio, Senate Majority Floor Leader
The Honorable Dina Titus, Senate Minority Floor Leader
The Honorable Ann O'Connell, Chair, Senate Committee on Government Affairs
The Honorable Joseph E. Dini, Jr., Speaker of the Assembly
The Honorable Richard D. Perkins, Majority Floor Leader
The Honorable Chris Giunchigliani, Chair, Assembly Committee on Elections

APPENDIX P

Transmittal letter dated January 10, 2001, from Marshall L. Turner, Jr., Chief, Census 2000 Redistricting Data Office, United States Department of Commerce, Census Bureau, regarding the production and shipment of a portion of county-based maps for Nevada



UNITED STATES DEPARTMENT OF COMMERCE
Bureau of the Census
11177 W. 8th Ave, 1st Floor
Lakewood, CO 80215-5539

Date: January 10, 2001

Memorandum for : Mr. Scott Wasserman, Chief Deputy Legislative Counsel
401 South Carson Street
Carson City, Nevada 89701

From: Marshall L. Turner, Jr., Chief
Census 2000 Redistricting Data Office

Subject: Census 2000 P.L. 94-171 Redistricting Data Program

This is in regard to the Census 2000 Redistricting Data Program and the provisions of Public Law 94-171. As you may recall, my letter of March 1, 2000, invited each governor and legislative leader to request copies of certain Census 2000 data products for their use in redistricting. You were designated as a recipient for the state official shown at the bottom of this memorandum.

We are producing and shipping copies of the maps mentioned in my March 1st letter. This letter documents the shipment of a portion of these county-based maps for your state. Depending on the number of counties in a given state, several shipments may be necessary to complete delivery of all map types for all counties. Each shipment will include an attachment providing an inventory of the map type and the counties included in the shipment. When we send you the shipment that will complete the maps for your state for that map type, the attachment will note that it is the last shipment.

As we noted in my letter of March 1, 2000 to the governor and majority and minority legislative leaders, we expect that the release of Census 2000 P.L. 94-171 Redistricting Data Summary File will begin, on a flow basis by state, in March and be completed by April 1, 2001.

In the meantime, if you have any questions, please contact Cathy McCully, Assistant Chief of this Office, at 301-763-0253 or send e-mail to RDO@census.gov.

Attachment (maps will be shipped under separate cover)

cc: Senate President Pro Tem Lawrence E. Jacobsen (R)
Senate Majority Floor Leader, William J. Raggio (R)
Senate Minority Floor Leader, Dina Titus (D)
Chair, Senate Committee on Government Affairs, Ann O'Connell
Speaker of the Assembly, Joseph E. Dini, Jr.(D)
Majority Floor Leader, Richard D. Perkins, (D)
Chair, Assembly Committee on Elections, Procedures and Ethics, Chris Giunchigliani

Since we are unable to ship out the entire set of Nevada's P.L. 94-171 maps at one time, we are including this check list so that you may track what you have received and what you still need.

County ID	County Name	County Block Map(s)	VTD/SLD Outline Map(s)	Census Tract Outline Map(s)
CO32001	Churchill County			
CO32003	Clark County			
CO32005	Douglas County			
CO32007	Elko County			
CO32009	Esmeralda County			
CO32011	Eureka County			
CO32013	Humboldt County			
CO32015	Lander County			
CO32017	Lincoln County			
CO32019	Lyon County			
CO32021	Mineral County			
CO32023	Nye County			
CO32027	Pershing County			
CO32029	Storey County			
CO32031	Washoe County			
CO32033	White Pine County			
CO32510	Carson City			

Suggestion for Map Handling

The paper used to print the maps has a special coating to produce a crisp, quality image.

Because of this coating and the thickness of the paper, we advise careful handling of the maps.

P.L. 94-171 Packing Slip

- 1 Letter to Official**
- 1 Checklist**
- 1 Map Handling Instructions**
- 2 County Block Map Legend (Tube 1)**
- 2 Voting District/State Legislative District Outline Map Legend (Tube 1)**
- 2 Census Tract Outline Map Legend (Tube 1)**
- 15 Boxes of Maps (see attached inventory)**

Packing Slip COUNTY BLOCK MAPS

----in BOX NO. field indicates this county is not included in this shipment

County ID	County Name	BOX NO.
CO32001	Churchill County	—
CO32003	Clark County	1, 2 & 3
CO32005	Douglas County	4
CO32007	Elko County	—
CO32009	Esmeralda County	4
CO32011	Eureka County	5
CO32013	Humboldt County	6
CO32015	Lander County	7
CO32017	Lincoln County	8
CO32019	Lyon County	9
CO32021	Mineral County	10
CO32023	Nye County	11
CO32027	Pershing County	12
CO32029	Storey County	13
CO32031	Washoe County	14
CO32033	White Pine County	15
CO32510	Carson City	13

APPENDIX Q

Attorney General Opinion No. 18 (March 15, 1971)

soil conservation district board of supervisors clearly cannot be "representative of agriculture" consistent with the common meaning of the language and the legislative intent.

Respectfully submitted,

ROBERT LIST, *Attorney General*

By JULIAN C. SMITH, JR., *Deputy Attorney General*

- 18 **Legislative Reapportionment**—The Legislature must reapportion at regular session if census breakdowns to enumeration districts is sufficient basis for redistricting. If Legislature desires further block statistics and these are not available during regular session, then it should reapportion in special session immediately after such figures do become available.

CARSON CITY, March 15, 1971

THE HONORABLE FLOYD LAMB, *President pro Tempore of the Senate,*
Nevada Legislature, Carson City, Nevada 89701

DEAR SENATOR LAMB:

You have asked this office to answer the following question:

QUESTION

Can the Nevada Legislature, under the Constitution, meet in special session to enact legislation to reapportion and redistrict the Assembly and Senate?

ANALYSIS

Article IV, Section 5, of the Nevada Constitution states in part:

* * * *It shall be the mandatory duty of the legislature at its first session after the taking of the decennial census of the United States * * * to fix by law the number of assemblymen, and apportion them among the several counties of the state, according to the number of inhabitants in them respectively. (Italics added.)*

The constitutional phrase "after the taking" of the federal decennial census presents for initial determination a subsidiary, and perhaps controlling, question. When is the 1970 federal decennial census deemed "taken" in the sense of being a sufficient basis on which to reapportion the Legislature?

If the phrase were construed literally, it could be argued that the census would have been taken and completed after its enumeration on April 1, 1970. As a practical matter, many months are required to tabulate, correlate, analyze, finalize, publish, and distribute the results of the decennial census. Congress recognized this need for time by enacting Title 13, U.S.C. § 141, which, in part, provides:

(b) The tabulation of total population by States as required for the apportionment of Representatives shall be completed within eight

months of the census date and reported by the Secretary to the President of the United States.

The 1970 decennial census was enumerated as of April 1, and we are informed by the U.S. Department of Commerce that the preliminary census was furnished the President on December 1, 1970. These totals of the population of each state are compiled for the sole purpose of reapportioning the House of Representatives, and the Director of the Census considers the figures accurate at the time.

There is no statutory requirement for the "official" filing and distributing of the report of the census to the states. However, the Secretary of Commerce is authorized by 13 U.S.C. § 7 to:

* * * have printed * * * preliminary and other census bulletins, and final reports of the results of [the census] * * * and may publish and distribute such bulletins and reports.

Thus, Congress contemplated the process of finalizing, publishing, and distributing the completed census returns. Though such publication and distribution is discretionary, U.S. ex rel. City of Atlanta v. Steuart, 47 F.2d 979 (1931), the Director of the Census has as a matter of long practice caused the printing, publication, and distribution to the states of final reports of detailed census counts in the form of bulletins.

The courts have seldom considered the effective date of a federal decennial census insofar as it is a precondition to mandatory reapportionment by the first session of a legislature after such census.

A leading case is *Cahill v. Leopold*, 103 A.2d 818 (1954). The Connecticut Constitution provided that senatorial districts should not be changed except at a session of the General Assembly "next after the completion of a census of the United States." The Supreme Court of Errors held "completion of a census" meant a census showing population figures broken down into counties, towns, and wards, and that the census was completed only when these detailed figures were released by an official authorized by law to make such publication or when the figures were available for use by the General Assembly.

The court said it was not necessary that these figures be published in book form before it became officially available, nor did the constitution require the figures to be "final;" that while final tabulations tend to greater exactitude, there was no need for the precision of perfection; and that the preliminary counts customarily released by the census bureau were sufficiently accurate for the legislature to proceed to redistrict in an intelligent manner, provided the counts were broken down into counties, towns, and wards.

However, the significance of the *Leopold* case lies not in the foregoing expressions, but instead is found in the following observations by the court:

* * * *The situation would be vastly different were senatorial districts to be absolutely equal in population.* That requirement is not to be found in the amendment. The General Assembly is commanded to equate the districts as nearly as possible. In view of the provisions that *each county shall have at least one senator*, that no district shall cross county lines and that no town shall be divided unless for the purpose of forming more than one district wholly

within such town, equality is impossible. The population in the districts established by the Act of 1953 runs from 40,835 to 73,726. If the use of the final figures which were before the 1953 Assembly could bring about no greater equality than that shown by the range of population just noted, the needlessness of requiring final rather than preliminary figures becomes perfectly apparent. (p. 824.) (*Italics added.*)

The situation in Nevada is "vastly different" from that confronting the Connecticut Supreme Court in 1954. The second paragraph of Section 5, Article IV, of the Nevada Constitution requiring each county to have at least one senator and one assemblyman was held in *Dungan v. Sawyer*, 250 F.Supp. 480 (1965), 253 F.Supp. 352 (1966), to be unconstitutional "so long as the present or comparable inequalities of population exist among the counties of Nevada." The mandate of "one man, one vote" prescribed by the U.S. Supreme Court in *Baker v. Carr*, 369 U.S. 186 (1962), requires that both the senate and assembly be reapportioned among legislative districts of substantially equal population.

Unlike the "needlessness of requiring final" figures to reapportion Connecticut's senatorial districts on a countywide basis, the Nevada Legislature might well need such final detailed census figures if it is to achieve senatorial and assembly legislative districts of substantially equal population. It is possible that the Nevada Legislature might have to reapportion itself among districts crossing county lines and city limits.

In *Carpenter v. Board of Apportionment*, 236 S.W.2d 582 (1951), the Arkansas Constitution required reapportionment on or before February 1, immediately following each federal census. The court held that the board did not have to proceed on or before February 1 following the taking of the federal census, where the official census figures by counties were not available on January 26, 1951, when the board met, notwithstanding that the board had been informed by the Director of the Census that the official statistics would be available early in March, that the preliminary figures were at hand, and that ordinarily the difference between preliminary and final counts was slight. The court, in rejecting the contention that the board proceed on the basis of unofficial enumeration, subject to final verification, correction to be made if changes should be required by the final count, stated that it would not be presumed that the intention was to require the board to act when the official data upon which its apportionment rested could not be procured.

The Opinion of the Justices, 47 So.2d 714 (1950), answered the question whether the special session of the Alabama Legislature could reapportion on the basis of the 1950 federal census, or whether such action would have to be based on the 1940 federal census. The court stated that if the 1950 federal census had been taken and ascertained within the meaning of the constitution, then the apportionment should be based on that census, but that if it had not been so taken and ascertained, the apportionment would be based on the 1940 census; that the court was without information which would enable it to take judicial knowledge that the 1950 federal census had become final as to all the counties in the state; and that as long as the enumerations which had been made in any of the counties remained tentative, the apportionment could not be made on the basis of the 1950 census.

The very recent (March 2, 1970) case of *In re Interrogatories* by the

General Assembly, 467 P.2d 56, aptly illustrates the importance of and practical necessity for official detailed census counts being available to a legislature for the basis of reapportioning and redistricting.

There, the 1970 Colorado General Assembly (which meets annually) adopted a house joint resolution¹ inquiring of the Colorado Supreme Court whether the 1971 General Assembly was required to revise senatorial and representative districts based on official population counts expected to be available prior to January 6, 1971, even though the official population breakdowns for census tracts, enumeration districts, and city blocks would not be available until after that date.² Article V, Section 48 of the Colorado Constitution provided:

* * * each such [regular] session next following official publication of each federal enumeration of the population of the state * * * shall establish or revise * * * senatorial representative districts * * *

The court, en banc, held (p. 58) that the phrase "federal enumeration of the population" meant and encompassed publication of all facts and figures, including census tracts, enumeration districts, and city blocks, necessary and essential to enable the General Assembly to revise legislative district boundaries; and that the 1971 Legislature did not have to reapportion until it received definitive census figures. The court expressly adopted the rationale of the Leopold case.

The court further stated (p. 59) that if the official publication of the federal census of the state's population occurred after the 1971 Regular Session and before the 1972 session, then the 1972 Legislature should consider reapportionment based on the 1970 census.

The necessity for the Nevada Legislature to have access to and base reapportionment legislation upon complete and detailed census figures instead of using preliminary and perhaps incomplete returns is apparent. Although the Nevada Constitution does not mention "completion of a census" as does the Connecticut Constitution, nor "official publication of" the federal census found in the Colorado Constitution, the mandate of the Fourteenth Amendment that it reapportion and redistrict to achieve as nearly as possible districts of substantially equal population is no less urgent. The Nevada voter, like his Colorado counterpart, is entitled to vote and be represented in a legislative district drawn only after the Legislature has available to it all of the facts and figures necessary to redistrict into districts approximating the "one man, one vote" mandate.

We are advised that the Legislative Counsel Bureau has received census

¹The resolution cited legislative experience gained from the reapportionment legislation in 1963, 1964, 1965, and 1967 had shown that official population data by census tracts, by enumeration districts and by city blocks was necessary for a complete and accurate redrawing of legislative district lines in a majority of Colorado's single member legislative districts, and that until such time as the official population breakdowns for census tracts, enumeration districts and city blocks were available, the General Assembly would not have sufficient information to assure the enactment of reapportionment legislation meeting the equal protection clause of the Fourteenth Amendment.

²According to the resolution, the Bureau of the Census reported that the so-called "final official population counts," which included total population figures for incorporated cities and towns, unincorporated places of 1,000 persons or over, counties, and existing congressional districts, would be available by the end of December 1970. However, the Bureau of the Census further reported that official population counts for census tracts, enumeration districts and city blocks would not be available until the spring, summer and fall of 1971.

breakdowns on the enumeration district level. An enumeration district usually consists of eight city blocks in urban areas, and does not cross city limits or township boundaries. If the Legislature deems this level of census breakdown is sufficient to redistrict as nearly as possible in compliance with the "one man, one vote" mandate of *Baker v. Carr*, *supra*, then it must enact reapportionment and redistricting legislation during the present 56th Regular Session.

If, on the other hand, the Legislature deems further census breakdowns below the enumeration district level, such as city and urban block census figures, essential to redistricting to provide as nearly as possible equal representative districts, then it may lawfully await the receipt of such block census data. Such is the advice given by the Colorado Supreme Court to the Colorado General Assembly (*In re Interrogatories*, *supra*), namely, that the Legislature redistrict only after receipt of "all facts and figures, including census tracts, enumeration districts, and city blocks" if it is to achieve an approximation of the "one man, one vote" mandate.

Should the additional block census figures be required in the judgment of the Legislature, yet not be made available by the Bureau of the Census until after the 56th Session of the Nevada Legislature adjourns *sine die*, then the Legislature must be convened in special session to enact such reapportionment legislation.

That the Legislature may, in special session, enact a reapportionment and redistricting plan is no longer open to question. The present Legislature was reapportioned by a special session in 1965, called pursuant to an order of the three-judge federal court in *Dungan v. Sawyer*, *supra*.

An analogous situation was presented in *People ex rel. Carter v. Rice*, 135 N.Y. 473, 31 N.E. 921 (1892). There the New York Legislature adjourned its regular session before the finalization of the census count. In holding that reapportionment could be accomplished in a special session, the Court of Appeals said:

An extraordinary session is, nevertheless, a session of the legislature. The governor by the terms of the constitution has "power to convene the legislature (or the senate only) on extraordinary occasions." When thus convened, is not the legislature in session? And can it be for a moment correctly contended that a session thus convened is the same session which had already terminated by an adjournment without day? It is not a regular session, it is true; it is what the constitution describes it—an extraordinary session,—but yet a session of the legislature.

Should the need for a special session to consider reapportionment occur, the special session should be called immediately upon receipt of such block statistics for a date certain, so that any doubts about whether or when the Legislature is to consider reapportionment will be removed.

The timing of a special session to enact a reapportionment law is not urgent insofar as the election of Senators and Members of the Assembly is concerned, since the earliest date for filing of certificates of candidacy for the next legislative elections is the second Monday in June 1972 (NRS 293.180).

CONCLUSION

If the Legislature deems the extent to which the 1970 federal decennial census of Nevada as published to date is sufficiently definitive to provide

the basis for reapportionment, then it is under the constitutional mandate to reapportion during the present 56th Regular Session.

If the Legislature deems available census data insufficient on which to base reapportionment, then it may await the publication and receipt of such additional census data as it deems necessary to achieve a reapportionment and redistricting law commensurate with the "one man, one vote" mandate.

Should such additional data be deemed necessary in the judgment of the Legislature, yet not be made available until after the present 56th Regular Session adjourns *sine die*, then a special session should be called for the purpose of enacting a reapportionment and redistricting law immediately after receipt of such additional census data.

Respectfully submitted,

ROBERT LIST, *Attorney General*

By JAMES H. THOMPSON, *Chief Deputy Attorney General*

19 Sales Tax—Attorney General's Opinion No. 522, dated July 2, 1968, modified to conclude that it is permissible, but not mandatory, to treat addressing by means of a mechanical device as a taxable activity.

CARSON CITY, April 12, 1971

MR. JOHN J. SHEEHAN, *Secretary, Nevada Tax Commission*, Carson City,
Nevada 89701

DEAR MR. SHEEHAN:

At a recent meeting of the Nevada Tax Commission an officer of a company engaged in the addressing and mailing business requested the commissioners to consider revising that portion of Sales and Use Tax Ruling No. 47 which declares the imprinting of names and addresses by addressograph, data processing machines or any other mechanical device to be a taxable activity under Nevada's sales tax laws. Said declaration of taxability is based upon Attorney General's Opinion No. 522, dated July 2, 1968, which reached a conclusion that: "Printing or imprinting names and addresses by addressograph, data processing machines or the like is a taxable activity under NRS 372.060."

QUESTION

Do Nevada's sales tax laws require the imposition of sales tax upon the activity of printing names and addresses by means of a mechanical device?

ANALYSIS

A reading of Attorney General's Opinion No. 522, dated July 2, 1968, indicates that opinion to be well-reasoned and well-documented in reaching the conclusion that charges made for addressing by means of a mechanical device are subject to sales tax. Your request for this opinion

APPENDIX R

Multimember Legislative Districts by State—1999

MULTIMEMBER LEGISLATIVE DISTRICTS BY STATE – 1999

State Senate

State	Number of Senators	Number of Districts	Number of Multimember Districts	Largest Number of Seats in a District
Nevada	21	16	5	2
North Carolina	50	42	8	2
Vermont	30	13	10	6
West Virginia	34	17	17	2

Source: National Conference of State Legislatures (NCSL), 1999; The Book of the States, 2000
 Compiled by: LCB Research Division, September 19, 2000

State Assembly or House of Representatives

State	Number of House Members	Number of Districts	Number of Multimember Districts	Largest Number of Seats in a District
Arizona	60	30	30	2
Arkansas	100	97	2	3
Idaho	70	35	35	2
Maryland	141	63	44	3
New Hampshire	400	132	74	36
New Jersey	80	40	40	2
North Carolina	120	98	17	3
North Dakota	98	49	49	2
South Dakota	70	35	35	2
Vermont	150	108	42	2
Washington	98	49	49	2
West Virginia	100	56	23	7

Source: National Conference of State Legislatures (NCSL), 1999; The Book of the States, 2000
 Compiled by: LCB Research Division, September 19, 2000

I:\Reapportionment\Misc\multimember districts by state