



**NEVADA LEGISLATURE
LEGISLATIVE COMMISSION'S COMMITTEE TO
STUDY THE REQUIREMENTS FOR REAPPORTIONMENT
AND REDISTRICTING**

(Assembly Concurrent Resolution No. 19, File No. 76, *Statutes of Nevada 2009*)

SUMMARY MINUTES AND ACTION REPORT

The first meeting of the Legislative Commission's Committee to Study the Requirements for Reapportionment and Redistricting was held on Friday, February 12, 2010, at 9:30 a.m. in Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at <http://www.leg.state.nv.us/interim/75th2009/committee/>. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblyman Tick Segerblom, Chair
Senator Steven A. Horsford, Vice Chair
Senator John J. Lee
Senator Joyce Woodhouse
Assemblyman John Ocegüera

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator Mike McGinness
Senator William J. Raggio
Assemblywoman Heidi S. Gansert
Assemblywoman Debbie Smith

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Lorne J. Malkiewich, Director, Legislative Counsel Bureau (LCB)

Donald O. Williams, Research Director, Research Division

Brian L. Davie, Legislative Services Officer, Administrative Division

Michael J. Stewart, Supervising Principal Research Analyst, Research Division

Eileen G. O'Grady, Chief Deputy Legislative Counsel, Legal Division

Kristin C. Roberts, Senior Principal Deputy Legislative Counsel, Legal Division

Kathy Steinle, GIS Specialist, Information Technology Services Unit, Administrative Division

Susan M. Young, Senior Administrative Assistant, Research Division

Jeanne Peyton, Senior Research Secretary, Research Division

OPENING REMARKS

- Chair Segerblom opened the meeting and welcomed the Committee members, presenters, and the public to the first meeting of the Legislative Commission's Committee to Study the Requirements for Reapportionment and Redistricting. He noted that the Committee's goal is to reach out to the citizens of Nevada and allow them to have input into the process.

NEVADA'S EFFORTS TO PROMOTE PARTICIPATION IN THE CENSUS

- Ross Miller, Secretary of State, provided an overview of Nevada's efforts to promote participation in the 2010 Census, which included: (1) rationale; (2) goals and strategies; (3) key audiences; (4) key messaging; (5) core communication elements; (6) public relations; (7) advertising; and (8) Hispanic outreach ([Exhibit B-1](#)).

Continuing, Secretary Miller indicated that the national advertising firm of Weber Shandwick has been contracted to work with Nevada's Ferraro Group on behalf of the Office of the Secretary of State to maximize media coverage and outreach to Nevada citizens. He noted that each citizen not counted in the 2010 Census could affect federal funding to the State of Nevada and that the tagline for the State's campaign is "We All Count." (Please see [Exhibit B-2](#) and [Exhibit B-3](#).)

In reply to Senator Raggio's query about the legal procedure used to count undocumented illegal aliens and the amount of funding allocated to this area, Secretary Miller responded that the *United States Constitution* provides that the census is required to count all people within the U.S. borders, whether legal or illegal. He explained that the results of the census are confidential, and the goal of the campaign is to make this message clear to everyone. Secretary Miller stressed that undocumented aliens who are counted would not result in a visit from the U.S. Immigration and Naturalization Service.

- Secretary Miller concluded his testimony explaining that: (1) the Nevada Legislature approved \$961,055 to fund the State's census outreach; (2) Nevada is the only western state that has appropriated funds for a statewide campaign; (3) \$265,816 in fees is obligated to Weber Shandwick and the Ferraro Group for coordinating the campaign; (4) \$620,239 is designated for advertising; and (5) \$75,000 will be used for statewide radio advertising.

OVERVIEW FROM THE UNITED STATES CENSUS BUREAU

- David A. Byerman, Chief Government Liaison for Nevada, United States Department of Commerce, Census Bureau, testified about the following matters ([Exhibit C-1](#)):

Overview of Census Process

- Mr. Byerman noted that the census will benefit Nevada by: (1) increasing power through additional representation in Congress, electoral votes, and State Legislature redistricting; and (2) creating jobs and economic stimulus. He indicated that Nevada is in a position to achieve a fourth congressional seat as a result of the 2010 Census. Mr. Byerman further explained that if the fourth congressional seat is obtained, Nevada would also receive a sixth electoral vote for the 2012, 2016, and 2020 Presidential elections.

Job Opportunities and Economic Stimulus

- Mr. Byerman stated that the U.S. Census Bureau will hire approximately 4,800 people across the State of Nevada and that the hiring process for the 2010 Census positions include: (1) testing; (2) background checks; (3) address canvassing; (4) enumerators; and (5) a census jobs hotline. He further noted that there will be four census offices throughout the State, and the peak operations for the census will be from May 1, 2010, through July 10, 2010.

Responding to Senator Raggio's question regarding the census hiring process, Mr. Byerman explained that: (1) approximately 35,000 people will be tested for the 4,800 positions needed to work the peak operation period; (2) the majority of the positions will be enumerators; and (3) salaries for the northern and southern Nevada census employees are based on the U.S. Department of Labor's Bureau of Labor Statistics data and the prevailing wage in terms of what would be a comparable wage across the country based on local cost-of-living estimates.

- Lorne J. Malkiewich, Director, LCB, noted that the census hotline is 866-861-2010, and the Nevada Legislature's website (www.leg.state.nv.us) is linked to the Census Bureau's website.

Cost of Undercount and Importance of Early Organization

(As directed by Chair Segerblom, this agenda item was taken out of order.)

- Mr. Byerman pointed out that every Nevadan not counted by the Census Bureau in 2010 translates to a yearly loss of \$917 to the State, which calculates over a 10-year period to \$9,170 in federal funding. Referring to a pie chart ([Exhibit C-1](#)) to emphasize the cost of an undercount, he drew attention to several categories and the respective percentages where State agencies would benefit from federal funding by avoiding an undercount: (1) education—9.4 percent; (2) transportation—12.8 percent; and (3) social service programs—45 percent. Mr. Byerman explained that Nevada's 1990 Census had the fifth worst response rate in the nation with a 2.3 percent undercount compared to a 1.68 percent undercount in the 2000 Census.

Discussion ensued between Senator Raggio and Mr. Byerman regarding how the undercount is calculated and why 33,570 individuals were missed in Nevada's 2000 Census. Mr. Byerman explained that enormous resources are allocated to the census tracks to: (1) reinterview individuals to ensure the census questionnaire ([Exhibit C-2](#)) was understood; and (2) conduct an independent analysis on the State level in order to identify an estimate of the people missed, which is performed in parallel with the census process. Mr. Byerman further indicated that additional individuals found through the reinterviews would be added to the count; however, it is not possible to take this course of action for every census track. He added that the Census Bureau can only report people who have filled out and returned a census form.

- Further explaining the impact of an undercount for the 2010 Census, Mr. Byerman pointed out that with an estimated population of 2,801,551, approximately 64,436 Nevadans may be missed, which would result in an undercount of 2.3 percent and a \$59.1 million dollar loss to the State annually.

Timeline for Delivering Reapportionment Numbers to the President

(As directed by Chair Segerblom, this agenda item was taken out of order.)

- Mr. Byerman outlined the operational timeline for the census process. (Please see [Exhibit C-1](#).)

Status Report on Statewide Campaign and Local Campaigns

- Mr. Byerman reported that the goal of Nevada's Complete Count Campaign is to inform the public of the significance of responding to the census questionnaire. He explained that the Complete Count Committee is chaired by Secretary Miller, previously identified, and is comprised of one representative from each county in the State of Nevada.

In closing, Mr. Byerman commented that more than 1,500 organizations are officially partnering with the Census Bureau to communicate the 2010 Census to all of Nevada's population. (Please see [Exhibit C-3](#), [Exhibit C-4](#), [Exhibit C-5](#), and [Exhibit C-6](#).)

- Responding to Chair Segerblom's question regarding the time frame for the Nevada Legislature to receive the State's 2010 Census data, Mr. Malkiewich shared that a letter was mailed to the Census Bureau requesting that the Legislature receive its numbers prior to the required deadline of April 1, 2011. However, Mr. Malkiewich noted that the data is generally released in groupings of states, and states similar to Nevada often receive the counts earlier because of the timeline associated with limited sessions. Mr. Malkiewich further mentioned that during the 2000 Census, Nevada was in the second group to receive its count.

- Brian L. Davie, Legislative Services Officer, Administrative Division, LCB, added that during the 2000 Census, the data was received at the end February or early March of 2001.
- Mr. Byerman pointed out that *The 2010 Census Redistricting Data Program* ([Exhibit C-5](#)) outlines the timelines and phases of the Census Program.
- Senator Lee referred to the first question on the census questionnaire ([Exhibit C-2](#)) and asked how it should be answered on “April 1, 2010, Census Day” for residents who live in a state part-time or who are temporarily away, such as individuals participating in various activities in other countries.

Responding to Senator Lee, Mr. Byerman explained that the Census Bureau prefers that each person is counted where they reside the majority of the year. However, persons with several residences may complete the questionnaire using the residence of their choice. He also noted that students 18 years or under in boarding school are counted where their parents live; college students are counted where they attend school. Residents temporarily living away from their home residence on April 1 are not counted in the census.

UPDATE ON PHASE II VOTING DISTRICT/BLOCK BOUNDARY SUGGESTION PROJECT

- Kathy Steinle, GIS Specialist, Information Technology Services Unit, Administrative Division, LCB, provided a brief overview on the Phase 2 Voting District/Block Boundary Suggestion Project ([Exhibit D](#)). Ms. Steinle explained that: (1) the Phase 2 Project allows Nevada to submit to the Census Bureau its precinct boundaries for inclusion in the 2010 Census tabulations; (2) Nevada’s population totals for 2011 will be calculated by precincts in addition to county, city, and the smaller census block totals; and (3) the Census Bureau supplied Nevada with the software to draw the county precinct boundaries. (Please see [Exhibit D](#)).

Responding to Chair Segerblom’s query regarding correlating the 2010 Census data to the 2010 election results as well as the results from the 2008 election, Ms. Steinle noted that databases from past elections are reviewed and compared to population totals. She explained that the data is provided at the precinct level and is then aggregated because the population totals are provided at the smaller, Census Block level. Ms. Steinle indicated that in order to provide the most accurate data, the most recent election cycles are used.

- Mr. Davie, previously identified, further explained that the three most recent election cycles are reviewed by LCB staff to determine the closest statewide election for each cycle. This information provides a basis of data for those in the political arena to determine trends in various sections of the State. He noted that staff will work with the Committee to establish the database for the results of the 2010 Census.

Responding to Senator Raggio, Ms. Steinle explained that the Census blocks are the lowest level of geography received from the Census Bureau regarding population counts; and each precinct is made up of a number of census blocks.

- Michael J. Stewart, Supervising Principal Research Analyst, Research Division, LCB, also noted that the goal of the Block Boundary Suggestion Project ([Exhibit C-5](#) and [Exhibit D](#)) is to ensure that the State of Nevada provides the Census Bureau with precinct boundaries that are coterminous with the census block.
- Mr. Davie further addressed Senator Raggio's concern about census blocks by explaining that census blocks are the basic building block of the census and are aggregated to create the larger levels of geography such as the precincts. He confirmed that the census blocks are contained within a voting precinct, which is the basic purpose of the Block Boundary Suggestion Program. Mr. Davie further explained that the most accurate data is at the precinct level because that is where the election data is obtained for use by the public and those looking for trends in the political process.

In response to Senator Raggio's query about the type of data supplied by the Census Bureau, Ms. Steinle said that the Census Bureau provides: (1) voting age population; (2) the number of Hispanic individuals; and (3) population figures by all races.

REVIEW OF THE BASICS OF REAPPORTIONMENT AND THE REAPPORTIONMENT NEWSLETTER

- Michael J. Stewart, previously identified, provided a Microsoft PowerPoint presentation ([Exhibit E-1](#)) outlining the basic requirements for reapportionment and redistricting. He noted that every ten years, following the federal census, the Nevada State Legislature is responsible for reapportioning and redistricting the districts. Mr. Stewart's presentation highlighted the following topics:
 1. The difference between reapportionment and redistricting;
 2. The history of reapportionment and redistricting;
 3. Statistics on current districts;
 4. Population data and projections;
 5. Potential legislative scenarios based on population projections;
 6. Anticipated legal issues and discussions;
 7. Accomplishments of the 1999-2000 Interim study on reapportionment and redistricting;

8. Challenges for reapportionment and redistricting in 2011; and
9. Reapportionment and redistricting on the Internet.

Mr. Stewart further mentioned that Nevada has had almost a 50 percent growth rate over the past decade in Clark, Lyon, Nye, and Storey Counties.

In closing, Mr. Stewart pointed out that the first reapportionment and redistricting newsletter was designed to provide the basics of reapportionment and redistricting. (Please see [Exhibit E-2](#).)

Responding to Senator Lee's question concerning the recommendations made by the 1999-2000 Interim study of the Legislative Commission's Committee on Reapportionment and Redistricting (Senate Concurrent Resolution No. 1, File No. 95, *Statutes of Nevada 1999*), Mr. Stewart explained that the Committee at that time, advised the 2001 Legislature to create joint rules addressing several issues that the Committee requested to be adhered to in the future for reapportionment and redistricting. According to Mr. Stewart, some of the issues included in the rules were that: (1) legislative districts have only minor deviations in population; (2) equality of representation is addressed; (3) populations of Nevada's Congressional District would be as near equal as possible; (4) a population database will be used; (5) all district boundaries created by a redistricting plan must follow census geography; and (6) procedures of the redistricting committees were to allow a legislator or member of the public to present their plans or proposals regarding reapportionment and redistricting.

- Mr. Malkiewich, previously identified, added that A.C.R. 1 (File No. 8, *Statutes of Nevada 2001*), available on the Nevada Legislature's website, was the legislation adopted by the 2001 Legislature that included the issues recommended by the 1999-2000 Interim study of the Legislative Commission's Committee on Reapportionment and Redistricting. In addition, Mr. Malkiewich commented that possible rules for the 2011 Legislature will be discussed in detail at a future meeting of this Committee and the members would be provided a copy of A.C.R. 1.

In response to Assemblywoman Smith's query regarding distribution and obtaining additional copies of the Reapportionment and Redistricting newsletter, Mr. Stewart stated that the newsletter will be posted on the Nevada Legislature's website as a public document, and the Research Division of LCB can provide extra copies.

PUBLIC COMMENT

- No one came forward under this agenda item.
- Senator McGinness asked if any future meetings of the Committee would be held in rural Nevada.

- Chair Segerblom responded that it is the intent of the Committee to meet in rural Nevada, and the schedule and location for future meetings would be discussed at the Committee's next meeting to be held in early May 2010.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 11:38 a.m.

Respectfully submitted,

Jeanne Peyton
Senior Research Secretary

Lorne J. Malkiewich
Director

APPROVED BY:

Assemblyman Tick Segerblom, Chair

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Lorne J. Malkiewich, Director, Legislative Counsel Bureau (LCB).

[Exhibit B-1](#) is a document titled “Nevada Census 2010 Communications Summary,” provided by Ross Miller, Secretary of State.

[Exhibit B-2](#) is a letter to Elected and Community Leaders, dated January 20, 2010, regarding Nevada Census 2010, provided by Ross Miller, Secretary of State.

[Exhibit B-3](#) is a document provided by Ross Miller, Secretary of State that depicts Nevada’s Census 2010 logo, “Nevada Census 2010 We All Count.”

[Exhibit C-1](#) is a presentation handout titled “Nevada’s Census 2010 Campaign: *We All Count*,” dated February 12, 2010, provided by David A. Byerman, Chief Government Liaison for Nevada, United States Department of Commerce, Census Bureau.

[Exhibit C-2](#) is the “United States Census 2010” questionnaire, provided by David A. Byerman, Chief Government Liaison for Nevada, United States Department of Commerce, Census Bureau.

[Exhibit C-3](#) is a document titled “United States Census 2010” explaining the importance of the census, provided by David A. Byerman, Chief Government Liaison for Nevada, United States Department of Commerce, Census Bureau.

[Exhibit C-4](#) is a document titled “Keeping Your Answers Confidential is Our Solemn Oath,” provided by David A. Byerman, Chief Government Liaison for Nevada, United States Department of Commerce, Census Bureau.

[Exhibit C-5](#) is a brochure titled “The 2010 Census Redistricting Data Program,” provided by David A. Byerman, Chief Government Liaison for Nevada, United States Department of Commerce, Census Bureau.

[Exhibit C-6](#) is a brochure titled “Resources at www.census.gov,” issued January 2007, provided by David A. Byerman, Chief Government Liaison for Nevada, United States Department of Commerce, Census Bureau.

[Exhibit D](#) is the written testimony of Kathy Steinle, GIS Specialist, Information Technology Services Unit, Administrative Division, LCB.

[Exhibit E-1](#) is a presentation handout titled “An Introduction to Reapportionment and Redistricting,” dated February 12, 2010, provided by Michael J. Stewart, Supervising Principal Research Analyst, Research Division, LCB.

[Exhibit E-2](#) is the “Reapportionment and Redistricting Newsletter,” dated February 2010, provided by Michael J. Stewart, Supervising Principal Research Analyst, Research Division, LCB.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or telephone: 775/684-6827.