

# Drawing Nevada's political boundaries coming down to the wire

By Sean Whaley, Nevada News Bureau

CARSON CITY – The business of drawing new political boundaries will now get under way by three court-appointed special masters following two days of public hearings on what Nevada's legislative and congressional districts should look like for the next decade.

The clock is ticking.

The special masters, Carson City Clerk-Recorder Alan Glover, Las Vegas attorney Thomas Sheets and former legislative Research Director Bob Erickson, have until the end of next week to draw four congressional and 63 legislative districts based on the 2010 U.S. Census data as directed by Carson City District Judge James Todd Russell last month.

Russell will receive the maps on Oct. 21 and release them to the public. By mid-November he will decide whether to accept them or send them back to the special masters for refinement.

All this is happening as the 2012 election season moves ever closer. A number of people have announced they are running for one of the four congressional seats even though there are no districts yet to run in.

The redistricting process outlined by Russell will continue even as the Nevada Supreme Court has decided to weigh in on the issue, which ended up in the courts after the Democrat-controlled Legislature failed to reach a compromise with Republicans on new district lines.

Gov. Brian Sandoval, who vetoed two Democrat-sponsored

redistricting bills in the 2011 legislative session, weighed in on the controversy again today when asked, saying there is no reason to call the Legislature back into session to approve new maps. On Monday he said he had not had any conversations with lawmakers about calling them back to deal with redistricting.

“There are no facts and circumstances at this time that would justify calling a special session,” he said.

Sandoval said he has faith in the judicial system, and the process outlined by Russell, to resolve the impasse.

While the Supreme Court has scheduled oral arguments for Nov. 14 on questions raised by Secretary of State Ross Miller, it did not stop the process set up by Russell to develop new maps. In his petition filed with the court, Miller argues the state constitution makes it clear that it is the responsibility of the Legislature to draw the political boundaries, not the courts.

Because the court refused to block the process outlined by Russell, the special masters heard public testimony Monday in Las Vegas and Tuesday in Carson City on how the maps should be drawn. Twenty-two speakers testified in Las Vegas. Only a handful participated in Carson City.

One major issue for the special masters is whether to draw an urban Las Vegas congressional district that would include much of the Hispanic community. Democrats in their proposed maps split the Hispanic vote among three congressional districts, while Republicans are advocating for creating a single district with a large percentage of Hispanic voters.

At the hearing in Carson City, Democrat Forrest Darby presented a new set of maps for the masters to consider, saying the Southern Nevada congressional districts included in the plan would allow either the Republicans or Democrats to win any or all of the three.

"We really believe this is a fair map," he said.

Darby said he has also petitioned Russell to reconsider his requirement that the four congressional seats have virtually no population deviation. A slight deviation would make for cleaner and more logical districts, he said.

"You cannot get down to one person," Darby said. "If you do you will have horrible, ugly boundary lines, period."

Also testifying was state Sen. James Settelmeyer, R-Gardnerville, who recommended that the special masters look at Assembly Bill 570, the measure creating the 13 new political boundaries for the Nevada System of Higher Education Board of Regents, as a starting point to draw congressional and legislative districts. The bill passed both houses of the Legislature unanimously and was signed into law by Sandoval, he said.

"I voted for it. For me it preserved the communities of interest, it did not pack individuals, it also created a situation where the deviation was only 0.37 percent in the creation of those 13 districts," Settelmeyer said.

Former Assemblyman Bernie Anderson, a Democrat from Sparks, said the special masters are qualified to address the issue, but that redistricting is not a responsibility of the court system.

"I am of the opinion, however, that you do not have the authority to do this," he said. "And I believe it is a question of separation of powers. And my base view is I want to make sure that does get into the record. That this is a legislative issue and should be left to the Legislature to take care of."

Sheets asked what the answer is to resolving the redistricting issue when the Legislature cannot agree.

"I guess we are an imperfect solution to this problem that seems to have no other resolution if you have intractable parties," he said.