



# Montana Districting and Apportionment Commission

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## Commission members:

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## Staff:

Susan Byorth Fox  
Researcher Analyst  
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Attorney

## MINUTES

Federal Building  
Helena, Montana  
December 13, 1999

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed. Committee tapes are on file in the offices of the Legislative Services Division. **Exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of documents.**

### COMMISSION MEMBERS PRESENT

Janine Pease Pretty On Top, Presiding Officer  
Joe Lamson  
Jack Rehberg  
Sheila Rice  
Elaine Sliter

### STAFF PRESENT

Susan Byorth Fox, Research Analyst  
Jo Ann Jones, Legislative Secretary

### VISITORS

See Attachment #1.

### COMMITTEE ACTION

- C Approved the traditional schedule for the redistricting process
- C Approved the issuance of a proclamation supporting Census 2000

### CALL TO ORDER

Ms. Pease Pretty On Top called the meeting to order at 1:20 p.m. Roll call was noted.  
(See Attachment #2)

### **CENSUS 2000**

**Exhibit #1: United States Census 2000 Info Kit**

**Exhibit #2: Accuracy and Coverage Evaluation, U.S. Department of Commerce, Bureau of the Census, June 1999**

**Exhibit #3: Accuracy and Coverage Evaluation, Census 2000 - A.C.E. Field Operations**

Tim Mack, Manager, Local Census Office (LCO), Great Falls, discussed the information in Exhibit #1, which includes How America Knows What America Needs, Census 2000 in a Flash, Great Falls Local Census Office Profile, Lawmakers Highlight Bipartisan Support for Census 2000, American Community Survey (ACS), and Census 2000 Timeline.

Mr. Rehberg asked why there is a 3-month time span between the time the President receives the census information and when the states receive it. Mr. Mack said he did not know, but he would research the question and report back to Mr. Rehberg.

Mr. Lamson asked what programs will seek to avoid the problem that occurred in 1990 of undercounting certain demographic groups. Ms. Pease Pretty On Top said she had a similar question, but it was related more specifically to Native American population groups. Mr. Mack said one of his priorities in the 2000 Census is to avoid undercounting. In 1990, census takers merely left questionnaires at residences and it was the responsibility of the household to fill it out and mail it back in for counting. Approximately 67 per cent of the questionnaires were returned. He said that in 2000, that will be done again, however, an attempt will be made to contact someone at the residence personally. Later on, those residences that have not returned the questionnaire will be contacted personally a second time. He said that an intensive media campaign will be undertaken to educate the public that the census will be

taken. Census 2000 is also forming partnerships with local governments, including tribal councils, for endorsement.

Mr. Lamson said that media reports this week indicated that approximately 2,000 people will be hired to conduct the 2000 Census, and asked how that compares to 1990. Mr. Mack said he did not have the exact figure but feels that it is a significant increase, possibly even twice as many as were hired in 1990.

Mr. Mack said the update/leave operation begins March 3, 2000, the list/enumerate (where census workers have not been before) will begin on March 13. List/enumerate on tribal lands will begin on March 20, and the follow-up for non-responses begins on March 27.

Ms. Pease Pretty On Top asked if the timelines were similar for the other two LCO districts. Mr. Mack said that they were, but the Billings district has a larger list/enumerate area to cover.

Ms. Pease Pretty On Top asked if there is a specific plan to deal with an undercount. Mr. Mack said there is a Hard to Enumerate Plan in place for those areas, which include the areas of significant population growth, such as Gallatin County, Kalispell, and Yellowstone County.

Mr. Rehberg asked if there was a specific cut-off date for information gathering. Mr. Mack said that April 1, 2000 has been designated as national Census Day and the intention of the 2000 Census is to take a "snapshot" of the country's population on that date.

Ms. Pease Pretty On Top asked if the census operates from address lists that were developed during the 1990 census. Mr. Mack said no, surveys were conducted in 1998 to develop address lists.

Ms. Pease Pretty On Top asked if county address lists were consulted. Wanda Person, Regional Tech, Accuracy and Coverage Evaluation (ACE), said that some were consulted but some counties do not yet have complete 911 address listings.

Mr. Lamson said building permits may be a good source of address information. Ms. Person said they are used as a resource, but not exclusively. Mr. Rehberg asked if building permits are required on reservation lands. Ms. Pease Pretty On Top said that it depends on tribal council rules.

Mr. Mack said that every possible resource is utilized in areas that are designated as being hard to enumerate.

Ms. Pease Pretty On Top said the Indian Health Service and tribal housing offices may be good resources, too.

Mr. Lamson asked about the hiring process for census workers. Mr. Mack said the database is being built and hiring will be done in February, 2000. He estimated that 50-75 per cent of all those who tested will be hired because there is a large turnover of census workers. Ms. Pease Pretty On Top asked if census workers have to have their own vehicles. Mr. Mack said they have to have available transportation, but some urban workers may not need a vehicle at all. He said they are trying to ensure that workers operate in their own neighborhoods where they are known.

Ms. Pease Pretty On Top said she hoped that there is an approach to address the undercounting of children on reservations. Mr. Mack said they are using a census-in-school approach. Ms. Pease Pretty On Top said a problem inherent with that approach is the high dropout rate. Mr. Mack said one problem on tribal lands is the relationship to HUD because families are afraid of losing funding if it is discovered that more than one family is sharing one housing unit. He said the challenge is to convince people that the information is kept strictly confidential.

Ms. Person distributed and discussed Exhibits #2 and #3, and said that ACE's purpose is to ensure that there has been no overcount or undercount during Census 2000. She said there are five major field operations in ACE: listing of housing units, housing unit follow-up, person interview, person follow-up, and final housing unit follow-up.

Ms. Pease Pretty On Top asked Susan Fox, staff, if she had noticed any trends in population. Ms. Fox said that the potential for undercount and the loss in population in eastern Montana could be problems.

Ms. Pease Pretty On Top asked if the growth rate from April 1 through the end of 2000 is added to the total population. Ms. Person said she did not know what was done with that data. Mr. Mack said that the data collected by the ACE cannot be used for federal redistricting because that requires a headcount of the population. Ms. Fox said the actual number counted is used for congressional apportionment for legislative redistricting, but that the states will receive both the actual count and the adjusted count. Ms. Fox said the Supreme Court issued an opinion that each state may decide whether to use the actual or adjusted count to determine state legislative redistricting, but last session, the Montana legislature did not address that issue, so the Commission must make that decision.

Ms. Person said that two teams work the same area for quality assurance. If it has been determined that the census was poorly conducted in one area, it will be re-done. Mr. Mack added that there are several levels of quality checking that didn't exist in 1990 in place for Census 2000.

Ms. Pease Pretty On Top opened the floor to public comment.

Pam Harris, Department of Commerce, said that the total state population is delivered to the President, but the state receives the population numbered down to individual block groups.

### **COMPUTER SYSTEM SELECTION**

Ms. Fox circulated a list of 126 potential race listing options that she received from the Bureau of the Census. She said the U. S. Department of Justice is working to provide some guidance to make the listing more manageable.

### **Exhibit #4: Request for Proposals**

Ms. Fox discussed Exhibit #4 and asked for Commission comment.

Ms. Fox said that she has received two comments on the proposed RFP, and that she has an appointment the next day with the Department of Administration, the state agency that writes RFPs on a regular basis. She said that Sarah Bond, Attorney General's office, has also volunteered to assist.

Ms. Fox said that the cost estimates she has received indicates that the cost would be less than \$25,000 and that the software could be operated on a personal computer.

Ms. Fox informed the Commission that Montana did not participate fully in the Census Bureau's Phase II project because of numerous limitations. She will be speaking to the Legislative Council in January about pursuing a solution for the next decade with the other appropriate agencies.

Ms. Pease Pretty On Top asked for a future meeting agenda item that would consist of meeting with other state agencies on this issue.

Mr. Lamson said that he was concerned that if the RFP is too narrow, it would create difficulties if the present systems need to be upgraded. He asked if the timeline can be met by the vendors. Ms. Fox said the vendors that she spoke with indicated that they can meet the deadlines, but she said that one must remember that they are the people who want to sell the product.

Ms. Pease Pretty On Top recommended that a provision for training and education be included with the software package.

Ms. Pease Pretty On Top asked for clarification on multiple work stations. Ms. Fox said most states utilize multiple work stations, but that Montana will not. She said that what is important is that the potential is there for more work stations in case they are needed or desired later on.

Ms. Rice said that a stronger statement may be needed for Internet capability, in view of future needs.

Ms. Pease Pretty On Top asked how much interaction with election administrators is anticipated. Ms. Fox said that she hasn't had a lot of contact with them yet but will need to over the next year.

Ms. Rice asked if there was Commission support for writing the RFP so that all the counties would have the same information. Ms. Pease Pretty On Top said there might be relatively inexpensive software packages available to the counties. Ms. Fox said that MSU has GIS support functions. Ms. Pease Pretty On Top said that MACo is another possibility.

## **ACCELERATED Redistricting REPORT**

**Exhibit #5: The Possibility of an Accelerated Redistricting for the 2000 Round**

**Exhibit #6: Tentative Work Plan for Districting and Apportionment Commission**

Mr. Rehberg drew the Commission's attention to the last paragraph of Exhibit #5 and said that it contains the meat of the issue.

Mr. Lamson said he did not believe that it is realistic to expect the government to put itself on hold while the Commission performs its work.

Ms. Sliter said that she believes accelerating the schedule is asking for trouble.

Ms. Rice said that she supports the traditional schedule.

Ms. Pease Pretty On Top asked for a motion.

Ms. Sliter moved to adhere to the traditional schedule, appearing as Plan A on Exhibit #6; second by Mr. Lamson. The motion was approved by unanimous voice vote.

Ms. Fox said the work plan includes a review of redistricting law and also the lawsuit that occurred after the last redistricting session. Ms. Bond said that she had argued that case in the 9th Judicial Circuit and so far, a decision has not been rendered.

Mr. Lamson said that he would like more information on legal issues arising from adjusted and unadjusted population figures.

Ms. Pease Pretty On Top said that she had earlier discussed with Ms. Fox the possibility of asking people who are knowledgeable about demographic changes in Montana to address the Commission at its May or June meeting.

#### **OTHER BUSINESS**

Mr. Rehberg asked John MacMaster, staff attorney, if it would be proper for the Commission to issue a proclamation supporting Census 2000. Mr. MacMaster said there were no legal issues involved in issuing a proclamation of support.

Mr. Rehberg moved that the Commission draft and issue a proclamation of support for Census 2000, seconded by Ms. Sliter. The motion passed on a unanimous voice vote.

**ADJOURNMENT**

Mr. Rehberg moved to adjourn the meeting. The meeting was adjourned at 3:15 p.m.

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