

REQUEST TO DEVELOP OPTIONS FOR PARTICIPATION IN THE REDISTRICTING DATA PROGRAM OF THE U.S. BUREAU OF THE CENSUS

Prepared for the Legislative Council
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Executive Summary: In September of 1999, Bob Person informed the U.S. Bureau of the Census that Montana would no longer participate in Phase 2 of the Redistricting Data Program (see attached letter). This proposal would allow staff to prepare options for the Legislative Council to consider in conjunction with the Districting and Apportionment Commission in order to prepare the state to participate more fully in the program following reapportionment in preparation for Census

Definition of Problem: The Legislative Services Division is statutorily required to provide support services to the Districting and Apportionment Commission. The Commission is dissolved upon the filing of a redistricting plan, approximately 3 years after a census is taken. Between decennial censuses, there is a U.S. Bureau of the Census Redistricting Data Program intended to support redistricting activities. The first two phases of the program solicit information from the states and are voluntary. As redistricting has become more litigious, the information that is developed during these programs is increasingly important for both the process of redistricting and in defending any plan. There are other benefits to election administration at both the state and county level and to everyone that is interested in voting information.

Montana partially participated in Phase 1 - the Block Boundary Suggestion Project for the 1990 Census and Census 2000, and although Montana initially indicated an interest in participating in Phase 2 - Voting District Project for Census 2000, we were unable to participate. Phase 2 gave states an opportunity to outline election precincts to be incorporated into the geographic-based TIGER/Line file and to have the P.L. 94-171 census data (population data reported in geographic-based units) that is used for redistricting reported by election precinct.

Montana's precinct boundary data is based predominantly on nongeographic boundaries (metes and bounds) and is maintained using paper maps submitted by each county to the Secretary of State's Office. In addition, precinct boundaries may be changed at any time except within 100 days of a primary or general election, so any electronic files would need to be regularly maintained. Conversion to an electronic geographic-based boundary system would be a complex process, but technology is making it much simpler, and once the database was prepared, it would be much simpler to maintain and access to retrieve both geographic map information, such as understanding where legislative districts are for candidates and election administrators, and also to integrate with other databases, such as voting information.

Montana can and has operated without this information in an electronic form, but there are direct redistricting-related instances that have required this data to be generated. The Attorney General's Office has had to contract for services to obtain much of this information in order to defend legal actions taken against the state regarding the redistricting plan from the 1990 Districting and Apportionment Commission. In 1997, the Attorney General's Office urged participation in Phase 2 because of the costs it had incurred to date on digitizing precinct boundaries (for only 18 counties), because of the administration and management required of the legal staff to assist in coordination between the contractor, the Secretary of State's Office, and the county election administrators, and because of the increased costs of analyzing precinct and voting data. Although we had hoped to participate, it was too late to garner sufficient resources to participate in a meaningful fashion.

That process confirmed the difficulty of actually obtaining this information in an efficient, effective, and reliable manner. Precincts are administrative lines created with discretionary criteria, and they change over time at the county level. Actual voting data itself is maintained in yet a different format in the Secretary of State's Office and in each county.

Proposal: This problem has persisted over the last two decades in regard to the U.S. Census Bureau and specifically to the Legislative Services Division as the technical support to the Districting and Apportionment Commission. The proposal is to allow staff to explore options to bring back to the Legislative Council that can meet each agency's identifiable needs in the future and that will potentially intersect better with the needs of the U.S. Bureau of the Census. Various options that will be explored include assigning the responsibility for the Block Boundary Suggestion Project and the Voter Tabulation District Program to an Executive Branch agency for which the resources may be more relevant to their data operations such as the State Data Center within the Montana Department of Commerce or the Elections Bureau of the Secretary of State's Office. There are a number of issues involving local and state government, technical expertise, staffing, and funding that must be addressed.

Stakeholders and Statutory Responsibilities and Other Contact Persons:

Legislative Services Division - statutorily required to provide technical and clerical services needed for the Districting and Apportionment Commission to prepare its districting and apportionment plans (5-1-106, MCA). Upon request state agencies shall cooperate with the commission and furnish technical assistance and consulting personnel (5-1-107, MCA).

Secretary of State - statutorily required to maintain current and accurate records including lists of and a map showing the boundaries of all precincts in each county, the number of registered voters, and vote counts (13-1-204, MCA)

Department of Commerce - Census and Economic Information Center - statutorily required, in conjunction with other state, federal, and local agencies, to establish and maintain a central depository of information, including computer-retrievable files, concerning the significant characteristics of the state,

such as its people, economy, land, and physical characteristics. The department shall analyze and disseminate such information to state, federal, and local agencies and to the general public (90-1-109, MCA).

Attorney General - as the chief legal officer of the state was asked to represent Secretary of State Mike Cooney and Governor Marc Racicot as defendants when the redistricting plan submitted by the 1990 Districting and Apportionment Commission was challenged in 1996. The Commission was dissolved February 24, 1993, when the plan was filed.

Other resources:

The Office of Public Instruction has worked with the U.S. Census Bureau on a similar project to digitize school district boundaries (which have many similarities to election precincts) for incorporation as a coverage in the TIGER/Line files.

The Department of Administration has a Montana GIS Cadastral Mapping Project to produce a digital GIS land ownership (cadastral) database of the entire state. They also support the Montana Geographic Information Council, which could be presented with information and provide guidance.

The Natural Resource Information System and the Department of Administration both have geographic information system experts who could be contacted for information and advice on this project.

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