MINUTES OF THE __HOUSE___ COMMITTEE ON ___LEGISLATIVE, JUDICIAL AND CONGRESSIONAL

                                                        APPORTIONMENT

The meeting was called to order by ____Representative Keith Roe_____ at
                                                    Chairperson

_2:00___ ⅹⅹⅹ/p.m. on _____March 3_____, 1986 in room __526-S__ of the Capitol.

All members were present except:

Rep. Aylward - E   Rep. King   Rep. Roper
Rep. Bunten   Rep. Grotewiel

Committee staff present:
Russ Mills, Legislative Research
Bob Coldsnow, Legislative Counsel
Sue Pettet, Committee Secretary

Conferees appearing before the committee:

Rep. Spaniol
George Collins
Randy Martin, Olathe Chamber of Commerce
Bill Ramsey, City of Olathe
Mary Koenig, League of Women Voters - Johnson County

The meeting was called to order by Chairman Roe.

Representative Vincent Snowbarger was first on agenda to give his testimony
on HCR 5039 AND HB 2952. (see attachment)

HCR 5039 has three basic provisions. First, it requires redistricting in
1987. This plan would be in effect for the 1988 elections. Second,
it provides that redistricting may be done at any time when two-thirds
of the legislature agrees to its necessity. This is meant to uncomplicate
the current procedure which requires constitutional amendment. Finally,
because of the difficulty in agreement, it requires redistricting at least
once every ten years.

HB 2952 provides for reinstitution of a state census. It is similar to a
bill that has been introduced in the Senate. The bill would require a
census in July, 1986, January, 1987, and each January thereafter.

In the 1983 case of Bacon vs. Carlin, the court indicated there were two
clear principles upon which our legislative decisions on redistricting
in Kansas must be based. First, we are required to redistrict in 1989.
Second, the court said, "...if the Kansas legislature attempts to implement
its constitutional provision requiring reapportionment by reliance upon
1980 federal census figures or those figures updates by estimates,
constitutional problems will arise."

There were several questions asked by Representatives Reardon, Adam,
Miller, Braden, and Knopp.

George Collins, private citizen of Olathe, Ks., and Randy Martin, of Olathe
Chamber of Commerce each gave their testimony on state and federal census.
Bill Ramsey of the City of Olathe, and Mary Koenig of League of Women Voters
of Johnson County testified also.

No motion was made for further action on HB 2952 or HCR 5039. Meeting
adjourned at 3:20 p.m.

STATE OF KANSAS

VINCENT K. SNOWBARGER
REPRESENTATIVE 28TH DISTRICT
JOHNSON COUNTY
1955 SHERIDAN BRIDGE
OLATHE, KANSAS 66061
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TOPEKA

COMMITTEE ASSIGNMENTS
MEMBER JUDICIARY
LABOR AND INDUSTRY
LEGISLATIVE JUDICIAL AND
CONGRESSIONAL APPORTIONMENT
TRANSPORTATION

HOUSE OF REPRESENTATIVES

March 3, 1986

Chairman and Members of the Committee:

Thank you for the opportunity to present this proposed legislation on redistricting and census to you this afternoon. I realize that these are sensitive issues. However, I am trying to approach this based on the "one man, one vote" principle. The argument I am making for these proposals is basically one of fairness.

In the 1983 court decision in the case of Bacon v. Carlin, the court indicated there were two clear principles upon which our legislative decisions in regard to redistricting in Kansas must be based. First, we are required to redistrict in 1989. Second, the court said, "... if the Kansas legislature attempts to implement its constitutional provision requiring reapportionment by reliance upon 1980 federal census figures or those figures updated by estimates, constitutional problems will arise." There are also federal court decisions that indicate that reapportionment schemes that exceed every ten years are suspect.

These factors leave us with few alternatives. We must redistrict in 1989. To do so we will have to introduce a state census.

Attachment

HCR 5039 has three basic provisions. First, it requires redistricting in 1987. This plan would be in effect for the 1988 elections. Second, it provides that redistricting may be done at any time when two-thirds of the legislature agrees to its necessity. This is meant to uncomplicate the current procedure which requires constitutional amendment. I am not so naive as to believe that this will result in frequent changes, however. We all know how difficult it is to get two-thirds of us to agree on anything. Finally, because of this difficulty in agreement, it requires redistricting at least once every 10 years.

HB 2952 provides for reinstitution of a state census. It is similar to a bill that has been introduced in the Senate. The bill would require a census in July, 1986, January, 1987, and each January thereafter. For my purposes, the first census is all that is required. It is my understanding that this census scheme tracks the old "ag census".

Having explained the situation and the proposed approach, I would like to indicate why we are suggesting that the process be started earlier.

First, overpopulated districts are not being given their fair representation in our "representative" system. (Our local newspaper refers to this situation as being underrepresented. My ego prefers to describe this status as being overpopulated.) I think some examples may give you a better idea of the critical nature the problem. There is a reason why Representative Spaniol and I have sponsored this legislation together. Whereas there are no census figures available for the whole state, we have

reason to believe that we represent the two largest districts in the state.

The Election Commissioner of Johnson County has provided me with population statistics for the Representative and Senate districts for Johnson. The population figures are from the County Appraiser's office, and have been matched to precinct lines to give an accurate picture of the district's population. (See attachment 1.) Note that there are 5 Representative and 2 Senate seats where the population exceeds the ideal by at least 16%. Note my district exceeds the ideal by 47%. Note also that there will be shifts within the county. This is not necessarily a shift from rural to urban.

Because population figures are not available state-wide, we have to look for other indications of imbalances. Although imperfect for determining exact population, voter registration statistics are to some degree a reflection of population. (See attachment 2.) Note Representative Spaniol's district has a voter registration that is more than 70% above the average. The average for Representative districts is 9,503. There are 31 districts which exceed this average by 10% or more. The average for Senate districts is 29,696. There are 8 districts that exceed this average.

The fairness and necessity of earlier redistricting to overpopulated districts is evident. There are also advantages to the less populated districts. Whenever we redistrict, there will be shifts in district lines and representation. That is difficult for each of us to deal with. However, it is

inevitable. The sooner the redistricting is done, the less dramatic the changes will be. In Olathe, city officials tell me that approximately 3 people per day are moving into the city. There is no indication that is going to change. I also suspect that the same is true in all of the districts that currently have high populations.

The second positive feature to the program we are proposing is the reinstitution of the "ag census" which I have been led to believe is more advantageous to less populated areas. In fact, there may be disadvantages to my district to using this census approach. However, the greater injustice to my district is any delay in redistricting. My census proposal was made as a compromise in the whole process to hopefully speed the process.

Finally, there has been some talk of postponing the census until after the 1990 census to take advantage of the Block Boundary Suggestion Program that we heard about in our last committee session. Those figures would not be available until at least 1991. As I mentioned earlier, reapportionment plans which go beyond 10 years in redistricting are suspect. Therefore, if we are to use these figures in the early '90's when they are "fresh", we should redistrict as soon as possible to maximize the time between reapportionment plans.

I appreciate the committee's attention, and I will be happy to try to answer any questions.

JOHNSON COUNTY POPULATION
BY LEGISLATIVE DISTRICT

DISTRICT	REPRESENTATIVE	POPULATION	%*
18	Louis	21,137	108
19	Kline	18,277	94
20	Douville	16,582	85
21	Fox	16,414	84
22	Mayfield	20,672	106
23	Blumenthal	19,752	101
24	Hoy	18,130	93
25	Sifers	17,428	89
26	Snowbarger	28,724	147
27	Brown	27,200	139
28	Patrick	22,719	116
29	Vancrum	25,919	133
30	Cloud	24,537	126
43	D. Miller	**11,289	

	SENATORS		
7	Langworthy	55,558	91
8	Walker	56,399	92
9	Burke	88,415	145
10	Bogina	70,727	116
11	Allen	**17,681	

JOHNSON COUNTY TOTALS   288,780

* District population in relation to an ideal district
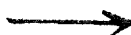calculated by total Kansas population divided by number of
seats.
House - (2,429,245 / 125 = 19,434)
Senate - (2,429,245 / 40 = 60,731)

** These are multi-county districts. Figures are for Johnson
County only.

Senate District	Registered	Republican	Democrat
1	28,709	13,997	7,294
2	27,886	10,451	7,042
3	22,279	7,394	6,891
4	22,153	2,968	13,719
5	31,381	6,065	16,971
6	26,413	5,463	12,540
+ 7	38,482	19,158	7,348
+ 8	34,587	15,550	6,497
+ 9	48,972	22,870	6,962
+ 10	39,051	14,663	7,838
11	32,162	14,367	8,920
12	28,748	11,874	9,626
13	29,968	7,766	10,351
14	28,146	9,657	8,839
15	27,477	13,905	6,426
16	29,373	10,844	8,629
17	26,643	11,868	6,681
18	24,868	10,353	8,116
19	20,878	6,580	7,990
20	29,094	13,666	7,629
21	29,476	13,446	7,954
22	21,477	9,075	5,665
23	28,269	15,439	5,392
+ 24	32,974	14,022	8,935
25	29,473	13,191	6,503
26	31,451	9,986	10,498
+ 27	39,282	14,650	11,633
28	28,070	7,207	10,681
29	25,247	5,032	12,575
+ 30	38,125	16,084	10,463
+ 31	33,347	12,536	11,062
32	28,260	10,905	10,164
33	29,748	12,547	7,706
34	23,971	9,076	7,286
35	27,833	13,977	7,783
36	30,383	16,136	6,658
37	32,196	10,244	10,470
38	27,570	10,871	8,123
39	22,911	9,269	5,736
40	29,923	13,476	7,349
Total	1,187,856	464,188	348,905
Ave	29,696		

District	Registered	Republican	Democrat
1	8,764	2,246	2,912
2	8,914	3,138	2,917
3	8,600	2,256	2,541
4	10,436	2,787	3,994
5	9,130	3,315	2,118
6	8,282	2,329	2,226
7	8,066	2,943	3,640
8	8,002	4,333	1,668
9	8,435	4,295	1,844
10	8,188	3,968	2,355
11	9,090	3,635	3,401
12	10,012	4,345	3,099
13	9,586	4,144	2,859
14	10,229	5,232	3,327
15	8,674	2,775	3,048
16	8,121	3,585	1,933
17	7,415	3,102	2,060
+ 18	11,913	4,362	2,820
+ 19	11,114	5,199	1,927
+ 20	11,593	6,042	1,793
+ 21	11,094	5,515	2,143
+ 22	11,376	4,743	2,271
+ 23	11,472	4,176	2,427
+ 24	12,247	5,403	2,621
+ 25	12,179	6,430	2,232
+ 26	14,449	5,867	2,399
+ 27	13,507	5,581	2,286
+ 28	14,814	8,221	2,004
+ 29	14,833	6,844	1,999
+ 30	13,738	5,777	2,083
31	7,373	1,318	3,715
32	5,787	1,266	2,667
33	7,292	862	4,829
34	7,588	751	5,287
35	8,560	876	5,403
36	9,198	1,566	5,020
37	9,049	2,014	4,752
38	10,182	2,393	5,102
39	8,227	1,505	3,954
40	9,703	2,944	3,367
41	5,779	1,732	2,021
42	6,246	1,961	2,277
43	9,445	3,691	2,245
44	10,273	4,145	2,315
45	8,194	3,371	1,985
46	8,099	2,441	2,342
47	9,967	3,583	2,256
48	8,038	2,832	3,150
49	8,968	4,595	1,594
50	9,898	4,006	2,744
51	10,278	4,662	2,651

House District	Registered	Republican	Democrat
52	9,436	4,583	2,550
53	5,545	1,717	2,170
54	8,318	4,011	2,092
55	8,232	3,772	2,503
56	7,925	3,622	2,427
57	5,422	1,326	2,479
58	5,244	1,478	2,260
59	8,749	3,238	2,811
60	9,516	5,003	2,410
61	9,828	4,993	1,837
62	9,896	4,044	3,234
63	9,742	5,449	1,807
64	8,345	4,778	1,645
65	5,474	2,136	2,043
66	8,378	4,003	1,715
67	7,075	2,836	1,656
68	9,002	5,135	1,737
69	8,982	3,352	2,505
70	9,542	4,775	1,908
71	10,086	4,403	2,535
72	10,028	4,289	2,671
73	9,076	4,245	1,924
74	10,912	4,512	2,744
75	9,092	3,303	3,184
76	10,069	5,158	2,570
77	9,469	2,745	2,734
78	9,990	4,382	3,078
79	8,869	3,133	3,586
80	8,983	3,405	3,437
+ 81	10,476	2,984	3,624
+ 82	10,611	3,624	3,145
+ 83	12,544	5,093	4,027
84	8,975	2,456	4,012
+ 85	14,349	5,968	3,591
+ 86	10,682	4,926	2,910
+ 87	12,830	4,882	3,803
88	10,051	3,575	3,535
89	8,010	879	4,982
+ 90	10,658	3,652	3,572
+ 91	12,104	4,665	3,888
+ 92	10,644	3,530	3,785
+ 93	10,705	3,435	3,900
→ + 94	16,955	6,521	3,993
95	8,890	2,159	3,634
+ 96	10,389	2,828	3,965
97	9,824	2,649	3,771
98	8,245	2,117	3,338
99	9,168	3,852	1,692
100	9,249	3,940	2,105
101	7,195	3,170	2,134
102	6,?11	1,549	2,421

House District	Registered	Republican	Democrat
103	7,656	3,132	2,142
104	9,759	4,201	2,649
105	10,273	4,544	3,189
106	9,534	4,761	2,650
107	9,953	4,045	2,211
108	10,191	4,487	2,733
+ 109	10,650	5,673	2,257
+ 110	10,488	4,082	3,507
+ 111	10,585	2,790	4,004
112	8,972	3,984	2,547
113	7,312	2,909	2,166
+ 114	10,611	4,154	2,982
115	8,966	3,568	2,618
116	9,017	3,245	2,826
117	7,651	3,035	1,828
118	10,079	4,298	2,451
119	10,026	5,491	1,928
+ 120	10,506	4,497	2,628
121	9,771	4,574	2,787
122	8,570	3,853	1,780
123	7,582	2,721	1,705
124	8,789	3,716	2,391
125	8,078	3,351	2,274
TOTAL	1,187,856	464,492	348,955
Ave.	9,503		