

Approved

Date

MINUTES OF THE HOUSE COMMITTEE ON LEGISLATIVE, JUDICIAL & CONGRESSIONAL  
APPORTIONMENT

The meeting was called to order by Edwin H. Bideau III at  
Chairperson

11:30 a.m./~~p.m.~~ on February 2, 1988, 19   in room 529-S of the Capitol.

All members were present except: Rep. Knopp - excused

Committee staff present:

Raney Gilliland, Legislative Research  
Mary Galligan, Legislative Research  
Myrta Anderson, Legislative Research  
Arden Ensley, Revisor of Statutes  
Robert Coldsnow, Legislative Counsel  
Kay Coen, Secretary to the Committee

Conferees appearing before the committee:

Brent Anderson, Secretary of State's Office

The meeting was called to order by Chairman Bideau.

Chairman Bideau introduced JoAnn Pottorff as a new committee member for 1988 replacing Rep. Vern Williams.

Chairman Bideau then introduced Brent Anderson, Secretary of State's Office, who reviewed progress on the state census. Mr. Anderson reported a very successful response from the people in returning their cards and good progress toward completion of the census. Mr. Anderson noted that the primary tools in conducting the census are the census cards that were mailed to Kansas residents in early January. To date, they have received about 600,000 cards, which represents a return rate of about 65 percent of the total number of households in Kansas.

If canvassers are able to complete their work as scheduled, by Feb. 29th, Mr. Anderson stated that they project that we will complete the census within the \$3.36 million appropriated by the Legislature. (Attachment I)

The committee then proceeded to consideration of requests for introduction of committee bills. Chairman Bideau opened the floor to requests for introduction. Representative Snowbarger made a motion to reintroduce the constitutional amendment resolution, HCR 5003 as it passed the House in the 1987 Session. The motion was seconded by Rep. Adam. Motion Passed. (Attachment II)

Rep. Adam moved to introduce a committee bill that strengthens confidentiality of census data and presented a draft of the bill. The motion was seconded by Rep. Justice. Motion passed. (Attachment III)

Robert Coldsnow, Legislative Counsel, suggested that the committee consider an amendment to permit state census figures to be used for reapportionment of county & municipal government. Committee discussion followed. (Attachment IV)

The committee adjourned at 12:15 p.m.

1988 Kansas Census  
Project Update  
February 2, 1988



Submitted to the House Apportionment Committee

By the Census Division

Office of the Secretary of State Bill Graves



Bill Graves  
Secretary of State



2nd Floor, State Capitol  
Topeka, KS 66612-1594  
(913) 296-2236

## STATE OF KANSAS

February 2, 1988

Dear House Apportionment Committee Members:

Today, about 1,200 canvassers, supervised by 106 crew leaders, began a one-month process in which they, in effect, conduct an inventory of every residential household in Kansas.

The primary tools in conducting the census are the census cards that were mailed to Kansas residents in early January. To date, we have received about 600,000 cards, which represents a return rate of about 65 percent of the total number of households in Kansas. We still will be receiving cards during the month of February, and a majority of these cards will be useful to our canvassers.

If canvassers are able to complete their work as scheduled, by Feb. 29th, we project that we will complete the census within the \$3.36 million appropriated by the Legislature. I am pleased with the progress of the census to date.

I plan to provide to you a report that reflects both actual canvassing expenditures and substantial completion of the project by April 4. The report presented today briefly describes the procedures we have implemented pursuant to HB 2038 to conduct the census and the status of the precinct boundary changes authorized by HB 2039.

Sincerely,

BILL GRAVES  
Secretary of State

BG/fy

## OPERATIONS

---

### A. Canvassing Procedures

Each of the approximately 1,200 canvassers will be assigned an election precinct this week. The canvasser will be trained by his crew leader and given a canvassing book assigned to his precinct, a map of the precinct, an identification badge and all the returned cards for the assigned precinct.

The canvasser will begin at an assigned place in his precinct and, following a pre-determined course of travel, will complete an inventory of each residential address. The canvasser will take information from the card and enter it into his book for each address. If the canvasser comes to a home that he does not have a card for, he will go to the house and get the information from a responsible member of the household. If no one is home, the canvasser will make a note of that in his book and call the household back. Canvassers will be using Polk Directories and rural address directories to obtain phone numbers for the addresses.

Canvassers have been trained to work evening and weekend hours so they will be able to reach households where the residents may not be home during the day.

Crew leaders, who supervise the canvassers, will have inspected the precinct before the canvassers are in the field, looking for out-of-the way households and other problems the canvasser may encounter. Also, the crew leader, and his supervisor, the regional field manager, will be responsible for a quality control check of the canvasser's work. The crew leader will check four groups of six consecutive households in each precinct before the canvasser begins and will compare his data with the canvasser's book to see if the work was accurate.

### B. Special Places

HB 2038 identified and defined how certain parts of the population should be counted. The central census office has provided the canvassers with special instructions for populations such as college students and military personnel.

For on-campus students, the census office has contacted each college in the state and asked for a list of students who live on-campus and who list their campus address as their permanent residence. The number of such students is expected to be small. The central office will then compile this information and send it to the canvasser. Some canvassers may still have to contact some on-campus residences, such as married student housing complexes, to get complete information.

For off-campus students, the central office has requested student directories provided by each college. Many directories will list a permanent address for each student in addition to her address. The central office will forward the directories to the regional office where they will be given to the appropriate canvassers. In general, however, canvassers will have to contact most off-campus students, especially apartments where more than one student lives, and the students claim more than one permanent address. The cards returned from these students will be of little use to the canvassers, unless the students have been very specific as to where their permanent addresses are. The regional offices have allowed for more canvassing time in college towns.

For on-base military personnel, the central office has requested from the commander of each military base a list of personnel living on the base who consider themselves permanent legal residents of Kansas. Their permanent residence may be the address where they received their card (if indeed they got a card) or it may be some other address in Kansas or another state.

For off-base military personnel, the census office plans to count them in the normal canvassing process, determining if their permanent legal residence is in Kansas or another state.

### C. Card Return

To date, the census office has received 597,897 completed cards, which represents a returned card from about 65 percent of the total number of households in Kansas (according to mid-1985 U.S. Bureau of Census estimates, there were 926,000 households in Kansas). The households that did not return cards will be contacted by canvassers. However, many of the cards we continue to receive in early February will still be useful to the canvassers because only one third of the more than 3,000 precincts initially were assigned. See Appendix A. for a summary of the card return.

#### D. 1-800 Hotline

The 1-800 line, which was printed on the card, was called by more than 6,400 Kansans. Many of the questions were from military personnel and relatives of residents of nursing homes who had questions about where they, or their families, should be counted. Many questions were from people who needed clarification on questions on the card. See Appendix A.

Many callers also expressed concern about the confidentiality of the information on the card. Most of these callers were worried about their postal workers reading the information. These people were instructed to fold the card in half and staple or tape it shut. The census office also received a few hundred letters from people who had similar concerns about the confidentiality.

#### E. Regional Offices/Personnel

The Division of Census has established 5 regional offices to coordinate field personnel. The offices are headed by a regional director and an assistant director. The names of the directors and addresses are:

##### Hays

Director: Madelyn Peters  
Box 104  
Agnew Hall  
Hays, KS 67601-4099  
(913) 628-5430

##### Wichita

Director: Tom Trusdale  
328 N. Main  
Wichita, KS 66061  
(316) 264-3311

##### Chanute

Director: Altis Ferree  
Box 562  
3802 S. Santa Fe  
Chanute, KS 66720  
(316) 431-2144

##### Olathe

Director: Joan Bowman  
135 S. Fir  
Olathe, KS 66061  
(913) 782-6060

##### Topeka

Director: Linda Buchheim  
700 Jackson, Suite 401  
Topeka, KS 66603  
(913) 296-6060

See Appendix B. for a map of the regions.

The number of personnel for the regional offices varies by region, depending on the percentage of the population each is counting. For example, the Chanute region is responsible for 10 percent of the state's population while the Wichita region is responsible for 30 percent.

Here are the breakdowns by region of the personnel. Because of a shortage of canvasser applicants in Johnson and Wyandotte counties, the Olathe region's number of canvassers is a projection of how many are needed. The actual number hired, to date, is lower.

Hays:

1 Regional Director  
1 Assist. Regional Director  
17 Regional Field Managers  
23 Crew Leaders  
260 Canvassers  
7 Clerks

Wichita:

1 Regional Director  
1 Assist. Regional Director  
4 Regional Field Managers  
28 Crew Leaders  
340 Canvassers  
12 Clerks

Chanute:

1 Regional Director  
1 Assist. Regional Director  
3 Regional Field Managers  
13 Crew Leaders  
140 Canvassers  
5 Clerks

Olathe:

1 Regional Director  
1 Assist. Regional Director  
4 Regional Field Managers  
21 Crew Leaders  
220 Canvassers  
10 Clerks

Topeka:

1 Regional Director  
1 Assist. Regional Director  
3 Regional Field Managers  
21 Crew Leaders  
240 Canvassers  
8 Clerks

Total:

5 Regional Directors  
5 Assist. Regional Directors  
17 Regional Field Managers  
106 Crew Leaders  
1,200 Canvassers  
42 Clerks

---

1,375 Regional Office Personnel

F. Central Office

The central office also has employed a number of personnel. Many are part-time employees working as phone operators/sorters, precinct boundary workers, payroll and billing personnel, and other assistants. The total number of full-time and part-time personnel is about 20 people.

G. Public Relations

The Division of Census has conducted an extensive public relations campaign to make people aware of the card mail out. Ads were placed on many radio and television stations and many stations agreed to run free public service announcements. In addition, many newspapers also ran press releases announcing the card mail out.

The census office will conduct a "Were You Counted" campaign in early March on radio and in newspapers. This ad campaign will try to reach anyone left in the state who has not sent in a card, and has not been contacted by a canvasser, and encourage them to contact the census office.



## PRECINCT BOUNDARY PROJECT (HB 2039)

---

The Precinct Boundary Project undertaken by the Division of Census has served two purposes. First, it is bringing all election precinct boundary lines in the state into compliance with federal Census Bureau regulations, as mandated by H.B. 2039. Second, it is providing this office with a full and correct description of all election precincts for the census canvassers so that they may produce accurate and useful results.

Maps for H.B. 2039

### SUMMARY OF THE BILL

H.B. 2039 requires the county election officers to ensure that each precinct is composed of "contiguous and compact areas" that have clearly observable boundaries using visible ground features, as defined by the federal Census Bureau. Precincts must also respect political boundaries, and therefore be entirely encompassed by any larger district from which any municipal, township, or county officers are elected.

These restrictions allow the election officers to formulate precinct boundaries using city, township or county lines, as well as a variety of objects which the federal Census Bureau will accept as block boundaries. Those objects include roads and large streams, but other geographic features, such as railroad tracks and large powerlines, may also be acceptable.

These maps were to be accompanied by a written description of the geographic boundaries of each precinct and were to be sent to the Secretary of State before January 1, 1988, for public record. The bill prohibits the change of boundaries during the period four months prior to each primary election and the succeeding general election or between Jan. 1 of any year whose last digit is 8 and Dec. 1 of any year whose last digit is 0. The exception to the prohibition is new precincts by the creation of a political subdivision or alteration of a political subdivision by annexation, or if required to conform to a federal census block boundary.

The Secretary of State must certify that all maps and descriptions are in compliance with H.B. 2039. The Secretary is also authorized to make any necessary changes to comply with the law if the initial or corrected precinct maps are not filed by the specified deadlines.

## MAP PROGRESS

Although the map project has been legally mandated for only a few months, a team of federal Census Bureau workers, headed by Prof. George McCleary of the University of Kansas, began studying State maps two and a half years ago, in July 1985. The maps were checked for precinct boundaries that are likely to correspond with federal census block boundaries. On a set of large topographic maps, which has a scale of 1 inch to 2,000 feet, the team indicated for each county the current precinct boundaries (in yellow), those areas that might not meet federal Census Bureau requirements (in red), and certain areas which would comply, as suggested by the team (in green). All of these maps were sent to the county election officers of each county by early June 1987.

The majority of the counties had few problems. More than half of the counties had three or fewer precinct boundaries which needed to be changed. Specifically,

- 29 counties had 0 changes;
- 31 counties had 1 to 3 changes;
- 25 counties had 4 to 10 changes;
- 11 counties had 11 to 20 changes; and
- 9 counties had 21 or more changes.

In all, there were 961 precincts with problems. The five largest counties (Douglas, Johnson, Leavenworth, Shawnee, and Sedgwick) had almost half of all these changes, totalling 441.

### Maps for Census Enumeration

The topographic maps filed in the Office of the Secretary of State for H.B. 2039 are the centerpiece of the information regarding precinct boundaries for the census. Where annexations have occurred that are not shown on the topographic maps, a supplemental map will be attached which clearly shows at least the outer bounds of the new annexations. The census map project team is using the most current city and county maps available for field maps for the canvassers. Precinct lines have been transferred from the topographical maps to all these smaller maps. This will ensure that each canvasser has the most current and accurate information, clearly showing the boundaries for each precinct. Most of these are maps supplied by the Kansas Department of Transportation. Some city maps are still in the process of having precinct lines transferred onto them from the topographical sheets. This work will continue until a complete map of every precinct is available.

Precincts will be numbered solely for the purpose of the census enumeration according to the census region, the county and the precinct number in that county. Each precinct will receive a three-part code. First, a number will identify the census region. Second, two letters will indicate the county. Third, three digits will identify the precinct in that county. In most cases, numbering will start in the northwest corner of the area and move in a serpentine direction from left to right on the top row, from right to left on the next row down, and so on.

To exemplify, Wano precinct in Cheyenne county will receive the number "1CN001." It is in the first region, in Cheyenne county and the first precinct in the county.

To date, the precinct project has 95 counties that tentatively have approval from the Secretary of State's office. These counties' precincts will be subject to further scrutiny before receiving final approval. Some counties' precincts will require no further modifications. In others, a minor change of a boundary line will be necessary. Only a few major modifications are expected. In all cases, the census division is prepared to shift population data to correspond to any required boundary change.

The problems that are still in the process of being resolved deal with city precincts; all rural precincts have been tentatively approved. Those counties with problems are being monitored by the Secretary of State's office.

BUDGET

---

This budget update indicates total expenditures as of January 29, 1988, projected expenditures for the rest of the census project, and the projected balance. As in the past, we have included a twenty percent contingency fund in our projected expenditures. Also, a summary of several of the largest and most visible expenditures is included at the end.

For the most part the census project is within the budget plan published August 1, 1987. On that date we planned for everything we could foresee, knowing that it is impossible to foresee every detail in a one-time project such as this. Also, certain variables largely beyond our control can have substantial budgetary impact, such as the return rate of the cards, number of days needed for canvassing the state, number of employees required, and amount of employee turnover. For these reasons we expect to use the entire contingency fund, and possibly part of what is left over, to complete the project successfully. In short, we plan to complete the project on budget, possibly under budget, but exigencies could force us to spend the entire appropriated amount.

Fiscal Year 1988 Start:	\$3,329,916.42
Amount Spent as of Jan. 29, 1988:	\$547,458.52
100--Salaries--	\$160,287.39
200--Contractual--	\$355,721.25
300--Commodities--	\$24,158.36
400--Cap. Outlay--	\$7,291.52
Amount Left as of Jan. 29, 1988:	2,782,457.90
Projected Expenditures:	1,687,495.97
100--Salaries--	\$1,198,194.90
200--Contractual--	\$466,040.84
300--Commodities--	\$20,551.75
400--Cap. Outlay--	\$2,708.48
Contingency Fund (20% of total):	665,983.28
Projected Balance:	428,978.65

Salaries will be the largest single expenditure during the census project. Some of the other significant costs are listed below. The figures are included in the numbers presented above, but they have been broken out and listed below to provide a sense of where certain large amounts of money will be spent.

COST OF CENSUS CARD:

Printing	\$38,561.84
Imprinting Code	\$13,189.00
Postage	\$282,818.00
Mailout	\$84,328
Return	\$198,490
Sorting	\$12,000.00
Total:	\$346,568.84

ADVERTISING:

Advertising Contract	\$65,633.17
Newspaper Ads	\$1,955.38
Total:	\$67,588.55

TELEPHONE:

Total Projected	\$50,993.95
Expenditures To Date	\$7,935.90

Appendix A.

<u>TOTAL DAYS</u>	<u>NUMBER OF CARDS RETURNED</u>	<u>1-800 PHONE CALLS</u>
1	880	1,224
2	13,607	1,451
3	88,409	940
4	116,955	585
5	80,040	426
6	80,730	104
7	10,626	18
8	0	0
9	49,231	294
10	31,119	257
11	23,805	224
12	19,665	149
13	22,145	126
14	11,906	15
15	8,004	171
16	8,280	127
17	10,350	109
18	7,383	79
19	3,312	56
20	6,111	N/A
21	4,761	65

---

TOTALS:

<u>DAYS</u>	<u>CARDS RETURNED</u>	<u>PHONE CALLS</u>
21	597,897	6,420



TRAVEL AND SUBSISTENCE:

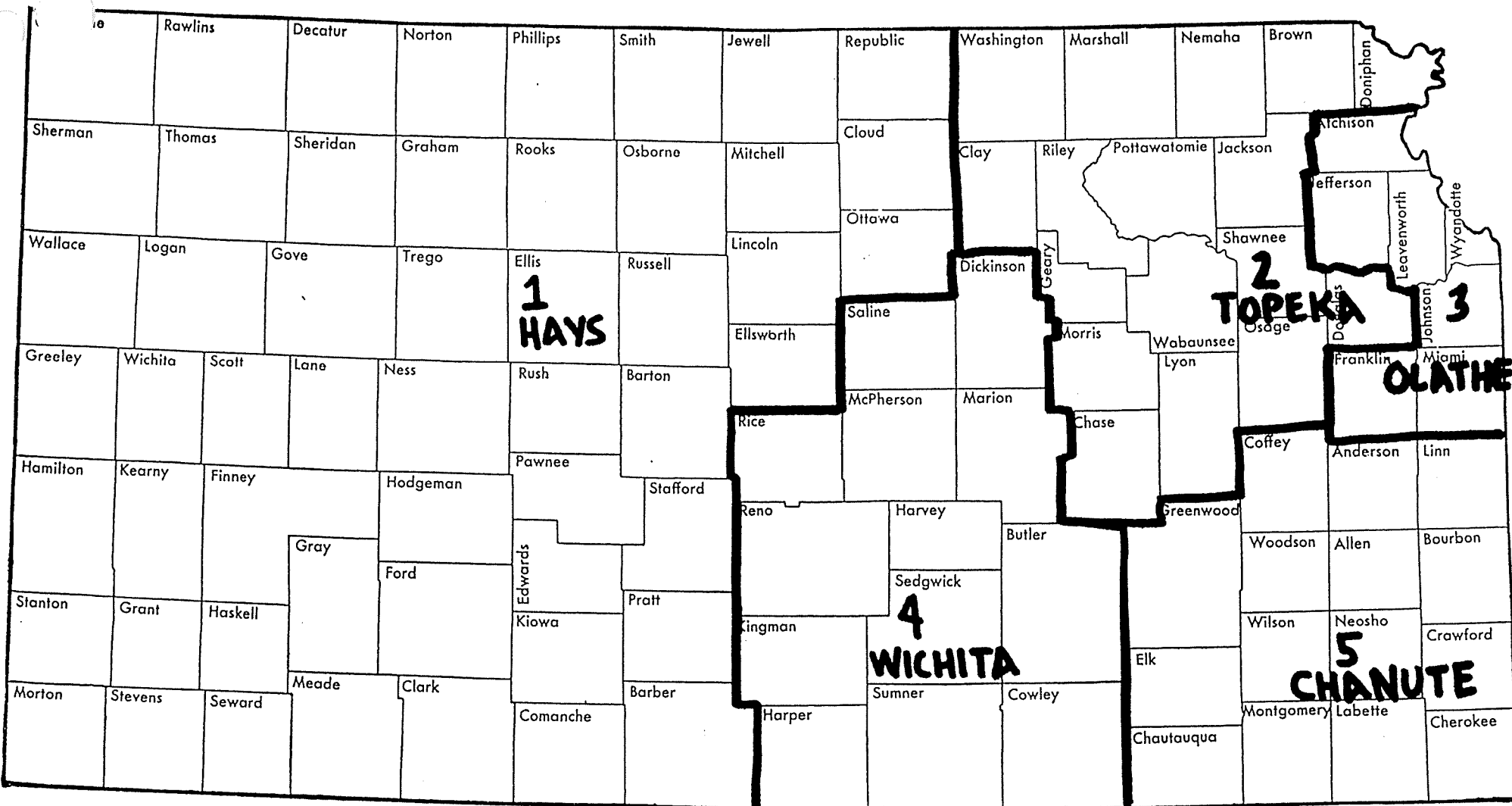
Total Projected	\$173,744.29
Expenditures To Date	\$16,201.79

COST PER DAY OF CANVASSING:

Salaries	\$51,622.48
Reg. Dirs.	\$437.20
Asst. Reg. Dirs.	\$393.20
Reg. Field Mgrs.	\$1187.28
Crew Leaders	\$5588.32
Canvassers	\$42,528.00
Clerks	\$1488.48

At a cost of \$51,622.48 per day of canvassing in salaries alone, it is easy to see why it is important to canvass the state as quickly as possible. If, due to a low return rate on the cards, bad weather, or slow progress, canvassing takes longer than the 21 work days scheduled in February, the budget's contingency fund could be depleted quickly.

Appendix B.



HOUSE CONCURRENT RESOLUTION NO. 5043

By Committee on Legislative, Judicial  
and Congressional Apportionment

A PROPOSITION to amend section 1 of article 10 of the constitution of the state of Kansas, relating to reapportionment of senatorial and representative districts.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection:

Section 1 of article 10 of the constitution of the state of Kansas is amended to read as follows:

"§ 1. Reapportionment of senatorial and representative districts. (a) At its regular session in 1979 1989, the legislature shall by law reapportion the state representative districts, the state senatorial districts or both the state representative and senatorial districts upon the basis of the latest census of the inhabitants of the state taken by authority of chapter 61 of the 1987 Session Laws of Kansas. At its regular session in 1992, and at its regular session every tenth year thereafter, the legislature shall enact-a-statute-reapportioning by law reapportion the state senatorial districts and representative districts on the basis of the population of the state as established by the most recent census of population taken and published by the United States bureau of the census. Senatorial and representative districts shall be reapportioned upon the basis of the population of the state adjusted: (1) To exclude nonresident military personnel stationed within the state and nonresident students attending colleges and

universities within the state; and (2) to include military personnel stationed within the state who are residents of the state and students attending colleges and universities within the state who are residents of the state in the district of their permanent residence. Bills reapportioning legislative districts shall be published in the official state-paper Kansas register immediately upon final passage and shall be effective for the next following election of legislators and thereafter until again reapportioned.

(b) Within ~~fifteen~~ 15 days after the publication of an act reapportioning the legislative districts within the time specified in (a), the attorney general shall petition the supreme court of the state to determine the validity thereof. The supreme court, within ~~thirty~~ 30 days from the filing of the petition, shall enter its judgment. Should the supreme court determine that the reapportionment statute is invalid, the legislature shall enact a statute of reapportionment conforming to the judgment of the supreme court within ~~fifteen~~ 15 days.

(c) Upon enactment of a reapportionment to conform with a judgment under (b), the attorney general shall apply to the supreme court of the state to determine the validity thereof. The supreme court, within ~~ten-(10)~~ 10 days from the filing of such application, shall enter its judgment. Should the supreme court determine that the reapportionment statute is invalid, the legislature shall again enact a statute reapportioning the legislative districts in compliance with the direction of and conforming to the mandate of the supreme court within ~~fifteen--(15)~~ 15 days after entry thereof.

(d) Whenever a petition or application is filed under this section, the supreme court, in accordance with its rules, shall permit interested persons to present their views.

(e) A judgment of the supreme court of the state

determining a reapportionment to be valid shall be final until the legislative districts are again reapportioned in accordance herewith."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The purpose of this amendment is to require the legislature to reapportion either state senatorial or representative districts or both during its 1989 regular session and to require the legislature to reapportion both senatorial and representative districts during its 1992 regular session and at its regular session every tenth year thereafter. The proposed amendment would permit the legislature to reapportion either senatorial or representative districts or both in 1989 on the basis of the state census of population but would require that reapportionment of the districts of both houses in 1992 and thereafter be based upon a census of population by the United States bureau of the census. All reapportionment would be based upon population figures adjusted to exclude nonresident military personnel and college students and to include military personnel and college students who are residents of Kansas in the district in which their permanent residence is located.

"A vote for this proposition would authorize the legislature to reapportion either state senatorial or representative districts or both in 1989 on the basis of the state census of population and would require the reapportionment of legislative districts in 1992 and in each tenth year thereafter on the basis of population figures from the United States bureau of the census.

"A vote against this proposition would continue the present constitutional requirements for reapportionment of the legislative districts of both houses in 1989, and in each tenth year thereafter without any requirement regarding the source of population figures to be used."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the house of representatives and two-thirds of the members elected (or appointed) and qualified to the senate, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in the year 1988 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.



HOUSE BILL NO. 5028

By Representative Adam

AN ACT concerning the enumeration of the residents of the state; declaring enumeration or census data to be confidential and prescribing certain penalties; amending K.S.A. 1987 Supp. 11-201, 11-204 and 11-208 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 1987 Supp. 11-201 is hereby amended to read as follows: 11-201. (a) Except as otherwise provided in subsections (b) and (c), the most recent population figures available from the United States bureau of the census as certified to the secretary of state by the division of the budget on July 1 of each year shall be used for all purposes in the application of the statutes of this state. Whenever the use of the population figures or the census of the state board of agriculture is referred to or designated by a statute, such reference or designation shall be deemed to mean the population figures certified to the secretary of state pursuant to this section. The city and county population figures certified to the secretary of state pursuant to this section shall be distributed by the division of the budget to the cities and counties of the state and to such other governmental entities as the division deems appropriate and shall be made available by the division upon request of any other person.

The population figures certified to the secretary of state pursuant to this section shall be disposed of in accordance with K.S.A. 75-3501 et seq. and amendments thereto.

(b) On July 1 of each year, the division of the budget shall distribute to the treasurer of each county a table showing the total population of the county, the total population of the

county residing outside the boundaries of any incorporated city and the population of each incorporated city within the county, using the most recent information which is available from the United States bureau of the census and which provides actual or estimated population figures for both cities and counties as of the same date. The county treasurer shall use the table as the basis for apportioning revenue from any countywide retailers' sales tax pursuant to K.S.A. 12-192 and amendments thereto.

(c) Population figures established by the enumeration authorized under K.S.A. 1987 Supp. 11-204 to 11-208 and amendments thereto shall be used only as a basis for the reapportionment of any state legislative districts, reapportionment of which is authorized pursuant to section 1 of article 10 of the constitution of the state of Kansas, in the year 1989, and for such additional purposes as may be specifically authorized by K.S.A. 1987 Supp. 11-204 and amendments thereto.

Sec. 2. K.S.A. 1987 Supp. 11-204 is hereby amended to read as follows: 11-204. An enumeration of the residents of the state of Kansas shall be taken as of January 1, 1988. Such enumeration shall be conducted by the secretary of state in accordance with the provisions of this act and rules and regulations adopted by the secretary for such purposes. Such enumeration shall be made upon forms prescribed by the secretary but shall include only such information as may be required to enumerate the residents of this state for the purposes of reapportioning state senatorial and representative districts. Except as otherwise provided in this section, all enumeration or census records shall be confidential. Nothing herein shall be construed to prohibit the publication of statistics, so classified as to prevent the identification of particular individuals. It shall be unlawful for any person to disclose data contained in enumeration or census records, except as authorized by this act. The secretary of state shall certify the census to the legislature by county, ward and precinct not later than November 1, 1988.

Sec. 3. K.S.A. 1987 Supp. 11-208 is hereby amended to read as follows: 11-208. (a) Any person employed in the enumeration of residents of the state pursuant to this act who shall knowingly fail to perform the duties of enumerating such residents in accordance with the provisions of the act or rules and regulations of the secretary adopted pursuant thereto or who shall knowingly submit any false report or enumeration of residents shall be guilty of a class A misdemeanor. In addition to the criminal penalties prescribed therefor, upon conviction of violating the provisions of this act or rules and regulations of the secretary pursuant thereto a public officer or employee shall forfeit such office or employment.

(b) Any person failing or refusing to provide information necessary for enumeration pursuant to this act to any person employed in the conduct of such enumeration or failing or refusing to return or file any questionnaire or form utilized in the conduct of any such enumeration or willfully gives any answer or information which is false on any questionnaire or form utilized in the conduct of any such enumeration shall upon conviction thereof be fined not more than \$100.

(c) Any person disclosing data contained in enumeration or census records or returns in violation of this act shall be guilty of a class E felony.

~~(e)~~ (d) When any request for information or answers necessary for enumeration pursuant to this act, made by the secretary or other authorized officer or employee conducting the enumeration, is made by registered or certified mail or telegram, the return receipt therefor or other written receipt thereof shall be prima facie evidence of an official request in any prosecution under this section.

Sec. 4. K.S.A. 1987 Supp. 11-201, 11-204 and 11-208 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

0047 population of each incorporated city within the county, using the  
 0048 most recent information which is available from the United  
 0049 States bureau of the census and which provides actual or es-  
 0050 timated population figures for both cities and counties as of the  
 0051 same date. The county treasurer shall use the table as the basis  
 0052 for apportioning revenue from any countywide retailers' sales tax  
 0053 pursuant to K.S.A. 12-192 and amendments thereto.

0054 (c) Population figures established by the enumeration au-  
 0055 thorized under K.S.A. 1987 Supp. 11-204 to 11-208 and amend-  
 0056 ments thereto shall be used only as a basis for the reapportion-  
 0057 ment of any state legislative districts, reapportionment of which  
 0058 is authorized pursuant to section 1 of article 10 of the constitution  
 0059 of the state of Kansas, in the year 1989, and for such additional  
 0060 purposes as may be specifically authorized by K.S.A. 1987 Supp.  
 0061 11-204 and amendments thereto.

0062 Sec. 2. K.S.A. 1987 Supp. 11-204 is hereby amended to read  
 0063 as follows: 11-204. An enumeration of the residents of the state of  
 0064 Kansas shall be taken as of January 1, 1988. Such enumeration  
 0065 shall be conducted by the secretary of state in accordance with  
 0066 the provisions of this act and rules and regulations adopted by  
 0067 the secretary for such purposes. Such enumeration shall be made  
 0068 upon forms prescribed by the secretary but shall include only  
 0069 such information as may be required to enumerate the residents  
 0070 of this state for the purposes of reapportioning state senatorial  
 0071 and representative districts. *Except as otherwise provided in*  
 0072 *this section, all enumeration or census records shall be con-*  
 0073 *fidential. Nothing herein shall be construed to prohibit the*  
 0074 *publication of statistics, so classified as to prevent the identifi-*  
 0075 *cation of particular individuals. It shall be unlawful for any*  
 0076 *person to disclose data contained in enumeration or census*  
 0077 *records, except as authorized by this act.* The secretary of state  
 0078 shall certify the census to the legislature by county, ward and  
 0079 precinct not later than November 1, 1988.

(a)

other than the official census as certified by the secretary of state to the legislature

0080 Sec. 3. K.S.A. 1987 Supp. 11-208 is hereby amended to read  
 0081 as follows: 11-208. (a) Any person employed in the enumeration  
 0082 of residents of the state pursuant to this act who shall knowingly  
 0083 fail to perform the duties of enumerating such residents in

(b) Notwithstanding the provisions of this section, the secretary of state may permit the director of the bureau of the census of the United States, or the proper official or authorized representatives of the director, to inspect the enumeration or census records and the secretary of state may make available or furnish to the director of the bureau of the census of the United States, or the proper official or authorized representatives of the director, information contained in any enumeration or census records, as the secretary may consider proper, but such information shall not be used for any other purpose than the administration of the census laws of the United States as set forth in Title 13 of the United States Code and all such information made available or furnished to the director of the bureau of the census of the United States, or the proper official or authorized representatives of the director, shall be subject to the confidentiality provisions of Title 13 of the United States Code.

0084 accordance with the provisions of the act or rules and regulations  
0085 of the secretary adopted pursuant thereto or who shall knowingly  
0086 submit any false report or enumeration of residents shall be  
0087 guilty of a class A misdemeanor. In addition to the criminal  
0088 penalties prescribed therefor, upon conviction of violating the  
0089 provisions of this act or rules and regulations of the secretary  
0090 pursuant thereto a public officer or employee shall forfeit such  
0091 office or employment.

0092 (b) Any person failing or refusing to provide information  
0093 necessary for enumeration pursuant to this act to any person  
0094 employed in the conduct of such enumeration or failing or  
0095 refusing to return or file any questionnaire or form utilized in the  
0096 conduct of any such enumeration or willfully gives any answer or  
0097 information which is false on any questionnaire or form utilized  
0098 in the conduct of any such enumeration shall upon conviction  
0099 thereof be fined not more than \$100.

0100 (c) Any person disclosing data contained in enumeration or  
0101 census records or returns in violation of ~~this act~~ shall be guilty  
0102 of a class E felony.

0103 (e) (d) When any request for information or answers neces-  
0104 sary for enumeration pursuant to this act, made by the secretary  
0105 or other authorized officer or employee conducting the enumer-  
0106 ation, is made by registered or certified mail or telegram, the  
0107 return receipt therefor or other written receipt thereof shall be  
0108 prima facie evidence of an official request in any prosecution  
0109 under this section.

0110 Sec. 4. K.S.A. 1987 Supp. 11-201, 11-204 and 11-208 are  
0111 hereby repealed.

0112 Sec. 5. This act shall take effect and be in force from and  
0113 after its publication in the Kansas register.

K.S.A. 1987 Supp. 11-204 and amendments thereto