

Approved

UKS 4-29-89

Date

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

The meeting was called to order by Representative Vince Snowbarger at Chairperson

11:30 a.m./~~p.m.~~ on February 21, 1989 in room 526-S of the Capitol.

All members were present except:

Representatives Buntin, Justice, Reardon, and Shore

Committee staff present:

Fred Carman, Revisor
Robert Coldsnow, Legislative Counsel
Stanley Rasmussen, Asst. Legislative Counsel
Mary Galligan and Raney Gilliland, Research
Marian Holeman, Committee Secretary

Conferees appearing before the committee:

Copies of the following materials were distributed to committee members and staff: Resolution No. 020689-6, Riley County Board of County Commissioners, (Attachment 1); Resolution No. 89-6, Douglas County Commissioners, (Attachment 2); Resolution No. 5219, City of Lawrence, (Attachment 3); Letter from C. McKenzie, County Administrator, Douglas County, (Attachment 4); February 26, 1979 Journal of the House, pp 320 - 335 (Attachment 5).

Representatives Snowbarger and Adam pursuant to committee action on February 7, explored the possibility of rewording guideline number four to clarify "contiguous." (See memoranda from Joan Adam and Robert A. Coldsnow, Legislative Counsel, Attachment 6). It was agreed the wording of the guidelines should stay with the original "as compact as possible and contiguous."

Approval of minutes will be the first agenda item at the next meeting. The committee will meet as soon as maps are ready.

The meeting adjourned at 12:25.

FEB 8 1989

RESOLUTION NO. 020689-6

RESOLUTION URGING THE 1989 KANSAS
LEGISLATURE NOT TO UTILIZE THE 1988
KANSAS CENSUS CONDUCTED BY THE SECRETARY
OF STATE FOR PURPOSES OF LEGISLATIVE REAPPORTIONMENT

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF RILEY
COUNTY, KANSAS, THAT:

1. The 1988 Kansas Census conducted by the Secretary of State of the State of Kansas as it pertains to Riley County, has failed to count all residents of Riley County and has been shown to be totally inaccurate and without scientific basis.

2. The 1988 State Census indicates a decrease of some 7,000 residents of Riley County since the last State Census was conducted in 1978, when supposedly the same methodology was utilized. The reduction of 7,000 residents since that time is not true and is without foundation.

3. The 1980 Federal Census indicated a Riley County population of 63,505 and the latest Federal estimate for Riley County is 65,000.

4. Use of the 1988 State Census for the purpose of reapportionment of the Kansas Legislature would be patently unfair to the citizens of Riley County, causing them to be grossly underrepresented and denying their constitutional right to equal representation.

5. The 1989 Kansas Legislature is hereby urged not to use the 1988 Kansas Census for purposes of legislative reapportionment.

Adopted this 6th day of February, 1989.

BOARD OF COMMISSIONERS OF
RILEY COUNTY, KANSAS

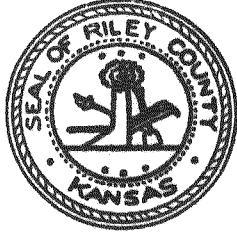

WILTON B. THOMAS
Chairman

Riley County Board of County Commissioners
110 Courthouse Plaza
Manhattan, KS 66502
Attachment 1
February 21, 1989
Legislative, Judicial and Congressional Apportionment Committee

L, J. & C. Apportionment
2-21-89
Attachment 1

Richard L. Jepsen

RICHARD L. JEPSEN
Member



ATTEST:

J. S. J.

JOHN SJO
Member

Ilene Colbert

ILENE COLBERT
Riley County Clerk

RESOLUTION NO. 89-6

EEB 8
1989

A RESOLUTION OPPOSING THE USE OF THE 1988 STATE CENSUS IN THE REAPPORTIONMENT OF KANSAS LEGISLATIVE DISTRICTS FOR THE 1990 ELECTION AND URGING THE SUBMISSION OF A PROPOSITION TO THE VOTERS TO AMEND THE KANSAS CONSTITUTION TO PROVIDE FOR FAIR AND EQUAL APPORTIONMENT OF LEGISLATIVE DISTRICTS

WHEREAS, in 1987 the Kansas legislature enacted and the Governor signed into law K.S.A. 11-204, et seq., directing the Secretary of State to conduct a census of the population of Kansas as of January 1, 1988 to be used as a basis for the reapportionment of state legislative districts by the 1989 legislature; and

WHEREAS, the 1987 state census law contained various presumptions concerning the residence of students, persons in the military, persons on military reservations, persons living in state hospitals and correctional institutions, and persons living in nursing homes; and

WHEREAS, these presumptions and the manner in which the state census was conducted by the Secretary of State's Office have led to the significant undercounting of various areas of Kansas, including Lawrence and Douglas County; and

WHEREAS, the governing bodies of various cities and counties in Kansas have expressed their great concern about the unfair and unequal representation that would result from the reapportionment of legislative districts for the 1990 election based on the 1988 state census; and

WHEREAS, a number of cities and counties representing a significant percentage of the population of Kansas have filed lawsuits or are presently considering filing lawsuits contesting the accuracy of the state census and the constitutionality of the state census law; and

WHEREAS, the principle of fair and equal representation would be significantly undermined by the use of the state census results in the reapportionment of state legislative districts for the 1990 election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS that the Kansas Legislature is hereby strongly urged to not reapportion legislative districts for the 1990 election on the basis of the unfair and inac-

L, J & C Apportionment
2-21-89
Attachment 2

curate 1988 state census;

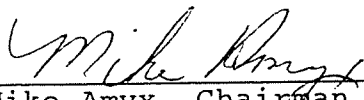
RESOLVED FURTHER, that the Kansas Legislature is strongly urged to submit to the voters of Kansas at the 1990 primary or general election a proposition to amend Article 10, Section 1 of the Kansas Constitution to provide for reapportionment of senatorial and representative districts at its regular session in 1992 on the basis of the population of the state as established by the most recent census of the population taken and published by the United States bureau of the census without adjustment to exclude any group or individual included in such census;

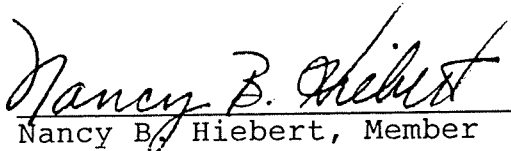
RESOLVED FURTHER, since fair and equal representation of the people of Kansas is the responsibility of all elected officials in Kansas, the legislature is strongly urged to take such steps.


RESOLVED FURTHER, that copies of this resolution shall be sent to: Senator Bud Burke, President of the Kansas Senate; Senator Ben Vidrickson, Chairman of the Senate Committee on Legislative, Judicial and Congressional Apportionment; Representative James D. Braden, Speaker of the Kansas House of Representatives; Representative Vincent K. Snowbarger, Chairman of the House Committee on Legislative, Judicial and Congressional Apportionment; Governor Mike Hayden; Secretary of State Bill Graves; and members of the local legislative delegation.

ADOPTED this 6th day of February, 1989.

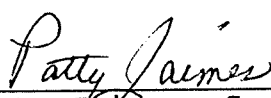
THE BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS


Mike Amyx, Chairman


Nancy B. Hiebert, Member


Louie McElhaney, Member

ATTEST:


Patty James, County Clerk

Douglas County Commissioners
Douglas County Courthouse
Eleventh & Massachusetts
Lawrence, KS 66044

-2-

RESOLUTION No. 5219

FEB 14 1989

A RESOLUTION OPPOSING THE USE OF THE 1988 STATE CENSUS IN THE REAPPORTIONMENT OF KANSAS LEGISLATIVE DISTRICTS FOR THE 1990 ELECTION AND URGING THE SUBMISSION OF A PROPOSITION TO THE VOTERS TO AMEND THE KANSAS CONSTITUTION TO PROVIDE FOR FAIR AND EQUAL APPORTIONMENT OF LEGISLATIVE DISTRICTS.

WHEREAS, in 1987 the Kansas legislature enacted and the Governor signed into law K.S.A. 11-204, et seq., directing the Secretary of State to conduct a census of the population of Kansas as of January 1, 1988, to be used as a basis for the reapportionment of state legislative districts by the 1989 legislature; and

WHEREAS, the 1987 state census law contained various presumptions concerning the residence of students, persons in the military, persons on military reservations, persons living in state hospitals and correctional institutions, and persons living in nursing homes; and

WHEREAS, these presumptions and the manner in which the state census was conducted by the Secretary of State's Office have led to the significant undercounting of various areas of Kansas, including Lawrence and Douglas County; and

WHEREAS, the governing bodies of various cities and counties in Kansas have expressed their great concern about the unfair and unequal representation that would result from the reapportionment of legislative districts for the 1990 election based on the 1988 state census; and

WHEREAS, a number of cities and counties representing a significant percentage of the population of Kansas have filed lawsuits or are presently considering filing lawsuits contesting the accuracy of the state census and the constitutionality of the state census law; and

WHEREAS, the principle of fair and equal representation would be significantly undermined by the use of the state census results in the reapportionment of state legislative districts for the 1990 election.

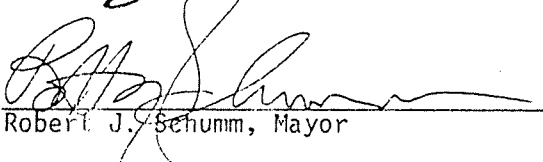
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS, that the Kansas legislature is hereby strongly urged to not reapportion legislative districts for the 1990 election on the basis of the unfair and inaccurate 1988 state census;

RESOLVED FURTHER, that the Kansas legislature is strongly urged to submit to the voters of Kansas at the 1990 primary or general election a proposition to amend Article 10, Section 1, of the Kansas Constitution to provide for reapportionment of senatorial and representative districts at its regular session in 1992 on the basis of the population of the state as established by the most recent census of the population taken and published by the United States Bureau of the Census without adjustment to exclude any group or individual included in such census;

RESOLVED FURTHER, since fair and equal representation of the people of Kansas is the responsibility of all elected officials in Kansas, the legislature is strongly urged to take such steps.

RESOLVED FURTHER, that copies of this resolution shall be sent to: Senator Bud Burke, President of the Kansas State Senate, Senator Ben Vidrickson, Chairman of the Senate Committee on Legislative, Judicial and Congressional Apportionment; Representative James D. Braden, Speaker of the Kansas House of Representatives; Representative Vincent K. Snowbarger, Chairman of the House Committee on Legislative, Judicial and Congressional Apportionment; Governor Mike Hayden; Secretary of State Bill Graves; and members of the local legislative delegation.

ADOPTED this 7th day of February, 1989.


Robert J. Schumm, Mayor

ATTEST:


Raymond J. Hunmert, City Clerk

City of Lawrence, KS
City Offices
Box 708
66044
L., J + C. Apportionment
2-21-89
Attachment 3

Douglas County

FEB 8 1989

February 6, 1989

The Honorable Vincent Snowbarger, Chairman
House Legislative, Judicial & Congressional Apportionment
Committee
Statehouse 144-N
Topeka, KS 66612

Dear Representative Snowbarger:

At the January 26, 1989 meeting of the House Apportionment Committee, Representative David Miller asked for information on the Agricultural Census figures for Douglas County for the period 1971 thru 1979. We are happy to provide this information to the Committee. Those figures are as follows:

1971 - 55,080	1976 - 60,592
1972 - 54,738	1977 - 62,842
1973 - 59,375	1978 - 65,852
1974 - 55,643	1979 - 74,257
1975 - 63,833	

Please let me know if the Committee desires any further information. Thank you.

Sincerely,



Christopher McKenzie
County Administrator

CM:rw

cc: Representative David Miller

Attachment 4

February 21, 1989

Legislative, Judicial and Congressional Apportionment Committee

Courthouse

Eleventh & Massachusetts / Lawrence, Kansas 66044 / (913) 841-7700 Attachment 4

L., J + C. Apportionment

2-21-89

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That pursuant to Article V of the Constitution of the United States we hereby make application to the Congress of the United States for the calling of a constitutional convention for the sole purpose of considering, drafting and proposing an amendment to the Constitution of the United States which shall protect the right to life, and which shall substantially provide:

(a) With respect to the right to life guaranteed in the United States Constitution, that every human being subject to the jurisdiction of the United States or any state, shall be deemed from the moment of fertilization to be a person and entitled to the right to life.

(b) That Congress and the several states shall have concurrent powers to enforce such an amendment by appropriate legislation; and

Be it further resolved: That this application shall constitute continuing application for such convention pursuant to Article V until the legislatures of two-thirds of the states shall have made like applications and such convention shall have been called by the Congress of the United States; and

Be it further resolved: That the secretary of state be directed to transmit copies of this resolution to the secretary of the Senate of the United States, the clerk of the House of Representatives of the United States and to the legislatures of the several states attesting the adoption of this resolution by the state legislature of the state of Kansas.

HOUSE CONCURRENT RESOLUTION No. 5036—

By Representative Ott

A CONCURRENT RESOLUTION encouraging and urging boards of education to provide for programs in basic life support cardiopulmonary resuscitation training for pupils.

WHEREAS, It has been estimated that about one million persons in the United States experience acute myocardial infarction each year. More than 650,000 die annually of ischemic heart disease. About 350,000 of these deaths occur outside the hospital, usually within two hours after the onset of symptoms. Thus, sudden death from heart attack is the most important medical emergency today. It seems probable that a large number of these deaths can be prevented by prompt, appropriate treatment; and

WHEREAS, In addition, many victims who die as a result of such accidental causes as drowning, electrocution, suffocation, drug intoxication, or automobile accidents could be saved by the prompt and proper application of cardiopulmonary resuscitation and emergency cardiac care: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Legislature, in recognition of the importance of providing education regarding the elements of emergency cardiac care and assuring adequate training of the public in basic life support measures, hereby encourages and urges the board of education of every school district to make provisions, in each school year, for programs in basic life support cardiopulmonary resuscitation training for all pupils in attendance in any of the grades eight through twelve at the schools under their supervision. Such programs should be conducted under the auspices of the American Heart Association or the American National Red Cross.

Be it further resolved: That the Secretary of state is hereby directed to transmit a copy of this resolution to the State Board of Education and the Commissioner of Education for duplication and transmittal to every board of education within the state of Kansas.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Cooper unanimous consent was granted to spread the following special report (except Appendix A) upon the Journal:

SPECIAL LEGISLATIVE, JUDICIAL

The Committee on Legislation makes the following special report:

Upon appointment the meetings for the purpose of reapportioning the House § 1(a) of the Kansas Constitution by members of the Committee by members of the American Civil Liberties Union for the Kansas Coalition of that the Coalition meeting reapportionment. Standard Coalition for Reapportionment thoroughly discussed and determining guidelines and development of a plan for reapportionment of the House and custom and practice.

Guidelines for Reapportionment

Having considered the the Constitution of the United States of Kansas, the relevant case field of reapportionment, the Committee in formulating House legislative districts in the House in considering HB 2000.

1. As required by the United States federal courts interpreting population as nearly as possible be within plus or minus 5% unusual circumstances. Kansas population of House districts majority of the other states permits a very reasonable number of persons within numerical equality especially of geographical area contained.

One percent (1%) deviation only 189 people and a five percent unit available to the Committee generally used within cities as a "building block" for established by election officials and efficient management of the basic units (or "building blocks") the House districts represent the ideal population. In each district represent a considerable district.

Since the basic units of population as practicable understandable and stay within the ideal population.

2. A district should be established by the voters.

L., J & C Apportionment
2-21-89
Attachment 5
Pages 1 thru 16

SPECIAL REPORT OF THE COMMITTEE ON
LEGISLATIVE, JUDICIAL AND CONGRESSIONAL APPORTIONMENT

The Committee on Legislative, Judicial and Congressional Apportionment makes the following special report and recommendations on **HB 2620**:

Upon appointment the Committee immediately commenced hearings and meetings for the purpose of presenting at the regular session of 1979 a bill reapportioning the House districts in accordance with the mandate of Art. 10, § 1(a) of the Kansas Constitution. Oral and written presentations were made to the Committee by members of the public including the Kansas Coalition on Reapportionment which involves the League of Women Voters, Common Cause, American Civil Liberties Union and the Women's Political Caucus. A spokesman for the Kansas Coalition on Reapportionment also represented to the Committee that the Coalition meetings have also included other citizens who are interested in reapportionment. Standards for reapportionment as established by the Kansas Coalition for Reapportionment and the rationale for such standards were duly and thoroughly discussed and considered by the members of the Committee in determining guidelines and criteria to be considered by the Committee in the development of a plan for reapportionment of the House and this bill. Notice of the Committee's meetings and hearings was given in accordance with law, rules of the House and custom and procedure of the Committee.

Guidelines for Reapportionment:

Having considered the oral and written presentations, pertinent provisions of the Constitution of the United States and the Constitution and statutes of the state of Kansas, the relevant case law expressed in judicial decisions and sources in the field of reapportionment, the following are the guidelines developed and used by the Committee in formulating its goals and plans for reapportionment of the House legislative districts and are recommended as the criteria to be used by the House in considering **HB 2620**:

1. As required by the U.S. Constitution and the case law of both the state and federal courts interpreting the same, the districts should be numerically equal in population as nearly as practicable and the population of House districts should be within plus or minus 5% of the ideal population (which is 18,874) except in unusual circumstances. Kansas is one of the relatively less populated states and population of House districts in Kansas is relatively small in comparison to a large majority of the other states. The plus or minus 5% population variance guideline permits a very reasonable equality in the House districts since the variance in the number of persons within this guideline permits a practical attainment of numerical equality especially when other factors such as the relatively large expanse of geographical area contained in Kansas districts in relation to population are considered.

One percent (1%) deviation from the ideal population for a House District is only 189 people and a five percent (5%) deviation is only 944 people. The smallest unit available to the Committee for the census figures is the precinct, which is generally used within cities. Otherwise townships were the smallest unit available as a "building block" for drawing district boundaries. Precinct boundaries are established by election officials generally with a view towards the most practical and efficient management and conduct of elections. As a result a vast majority of the basic units (or "building blocks") of population available to use in drawing the House districts represent more people in each unit than a 1% deviation from the ideal population. In the larger cities and metropolitan areas these basic units each represent a considerably higher percentage of the ideal population of a district.

Since the basic units of population generally represent more than 1% of the ideal House district population it was difficult to create districts as equal in population as practicable with boundaries that were easily identifiable and understandable and stay within the plus or minus five percent deviation.

2. A district should be easily identifiable and an easily understandable district by the voters.

3. The basis for House reapportionment should be the 1978 Kansas Agricultural Census figures which are the most recent available in Kansas. Census figures have been compiled within basic units such as townships, precincts and wards as well as within city limits and county boundaries. Many of these units use prominent natural or man-made geographic features as boundaries. Thus following rather than disregarding these census divisions will aid in establishing actual, well-defined House districts easily identifiable and easily understandable to the voters.

The "Comparison of 1970 Federal Census with 1978 Census, By Counties" compiled by the Kansas Legislative Research Department (December 5, 1978) shows a 4.89% gain over 1970 U. S. Census figures for Kansas. Subsequent corrections in addition increased the population figures slightly from 2,358,993, to 2,359,262 (an increase of 269) which would make the percentage increase 4.90%. In the January 22, 1979, issue of U.S. News and World Report at page 6, there is a chart in which 1970 U.S. Census figures for each state and the latest estimates for each state are compared. The chart shows the latest U.S. Census estimate for Kansas as 2,348,000 and gives Kansas a 4.4% growth from 1970 to the latest census estimates. The article does not indicate the date of the latest U. S. Census Bureau figures and only identifies them as "a new Census Bureau estimate". When the 1978 state agricultural census figure of 2,359,262 is compared to the estimate in the U. S. News and World Report article it appears that the overall total figures for the state are within a reasonable tolerance for such enumerations (0.48% above the latest census estimate).

4. The territory included within a district should be as compact as possible and contiguous. In working with this criteria or guidelines the Committee took into account the availability and facility of transportation and communication between the people in a proposed district, between the people and candidates in the district and between the people and their elected representatives. Compactness is limited by variances caused by the shape of county boundary lines, census enumeration lines (i.e. precinct and township lines), natural boundaries, population density, and the need to retain compactness of adjacent districts. The compactness of each House district not only depends upon natural boundaries, the irregular size and shape of census units and county lines, but must be related also to the overall approach used in developing districts of population as equal as practicable. As an example of how these factors affected the compactness of districts, within the Flint Hills there are densely populated areas interspersed within very sparsely populated areas, and this contributes to the difficulties of drawing districts in a compact manner. This is also generally true of much of the western portion of the state. Wherever feasible in the plan contained in this bill, districts within densely populated areas have been drawn as compact as possible. However, in many instances doing this necessitates drawing other districts in the vicinity of such densely populated areas which give an appearance of noncompactness.

5. The integrity and priority of existing political subdivisions should be preserved so far as practicable.

6. There should be recognition of similarities of interest, and social and economic interests common to the population of the area which are probable subjects of legislative action, generally termed a "community of interests", should be considered in determining whether the area should be included within or excluded from a proposed district in order that all of the citizens of the district should be represented reasonably, fairly and effectively since the achieving of fair and effective representation for all citizens is concededly the basic aim of legislative apportionment. Examples of such interests, among others, are those common to an urban area, a rural area, an industrial area or an agricultural area and those common to areas where people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process. Presentations were made to the Committee urging adherence to the criteria of maintaining the integrity of counties and cities, and deploring needless division thereof in the formation of districts. It is clear that in many situations county and city boundaries define political, economical and social boundaries of population groups. Furthermore, organizations with legitimate political concerns are constituted

along local political subdivisions and city lines in reapportionment.

7. Districts will not be drawn on a purely mathematical basis. The Committee Representative. The Committee Representative inevitably has sharp criticisms made by those charged with the task of reapportionment. These criticisms are inseparable from the process and there are legitimate grounds for concern regarding the political impact of gerrymandered results. The Committee Representative and there are legitimate grounds for concern regarding the political impact of gerrymandered results. The Committee Representative and there are legitimate grounds for concern regarding the political impact of gerrymandered results.

As to all of the foregoing, the Committee Representative has taken into account the population equality, desirability, and practicality of the plan. To the extent possible, the plan is designed to be as fair and practical as possible.

Consideration of plans submitted

Various individual legislative proposals submitted to the Committee kept foremost in mind the need for a reapportionment plan that would be fair and practical.

All of the suggestions received by the Committee have been carefully considered. There are many potential problems on their face roughly considered. Some may be dubious political proposals and would be difficult to complete consideration and passage of a bill. Many of the plans and proposals are specific problems and all proposals were given full and complete consideration in connection with the bill. Proper weight was given to each proposal. However, some proposals be constructed if each is considered in a specified manner. The place or another must be considered in connection with the whole state. Recommendations to the House.

Reapportionment plan recommended

The legal descriptions of the House Districts delineated in the Maps delineating these districts are set forth in Appendix B.

The reasons underlying the application of the reapportionment plan are set forth in the specific details used which led to the final plan. The lines were followed wherever possible to give an uncluttered appearance to the map. The drawing of lines was a complex task and the final plan is the result of the process. In many instances a district could be formed which would not interfere with the formation process.

along local political subdivision lines. Therefore, unnecessary division of county and city lines in reapportionment should be avoided.

7. Districts will not be intentionally drawn to protect or defeat an incumbent Representative. The Committee was aware as have the Courts that reapportionment inevitably has sharp political impact and inevitably political decisions must be made by those charged with the task and that politics and political considerations are inseparable from districting and apportionment, and districting without regard for political impact may produce, whether intended or not, the most grossly gerrymandered results. Political fairness is an appropriate goal of reapportionment and there are legitimate interests to be served by allowing incumbents and their constituents to maintain existing relationships and in affording incumbents fair opportunities to seek reelection. Accordingly, it was deemed appropriate to consider whether the plan recommended in this bill is politically fair and whether it needlessly prejudices the legitimate interests of incumbents and their constituents.

As to all of the foregoing guidelines used by the Committee and recommended to the House as a whole, their applicability, priority and scope, other than population equality, depend on circumstances indigenous to the area under consideration. To the extent required by the U. S. Constitution, population equality controlled and was always considered by the Committee insofar as possible and practical.

Consideration of plans submitted to the Committee:

Various individual legislators, local governmental groups and private groups or individuals submitted suggestions or plans for all or a portion of the state. The Committee kept foremost in mind that the Legislature is responsible for enacting a reapportionment plan and this cannot be delegated to others or assumed by them.

All of the suggestions or other reapportionment plans submitted to the Committee have been carefully considered. It is recognized that for each legislative body there are many potential plans which may pass constitutional muster and reflect on their face roughly comparable apportionment wisdom but within such plans may be dubious political considerations or implications that are not readily apparent and would be difficult to detect and evaluate without the full and complete consideration and study which has been given by the Committee to this bill. Many of the plans and proposals contained valuable suggestions for solving specific problems and all plans and proposals submitted were considered carefully in connection with the preparation of the recommendations contained in this bill. Proper weight was given to the reasons underlying all such plans and proposals. However, innumerable districts ideal for particular communities can be constructed if each is considered in isolation but when the entire state is divided into a specified number of districts, that which may appear ideal for one place or another must be subordinated to the goal of fair and reasonable apportionment of the whole state. That is the goal sought and upon which the recommendations to the House contained in this bill are based.

Reapportionment plan recommended for adoption by the House:

The legal descriptions of the recommended districts are contained in HB 2620. Maps delineating these districts are contained in Appendix A and statistics are set forth in Appendix B.

The reasons underlying the formation of all of the House districts was the application of the recommended criteria set forth above. Reported below, keyed to the district numbers as used in the bill and shown on the map, are some of the specifics used which led to the formation of the districts. For the basic map county lines were followed wherever possible to give a complete map with an open and uncluttered appearance with easily identifiable boundaries. Formation of district lines was a complex task and innumerable decisions had to be made at each stage of the process. In many instances several false starts were necessary before a district could be formed which reasonably conformed with the criteria which would not interfere with the reasonable formation of adjacent districts. As the formation process proceeded it was often necessary to go back to previously

formed districts and readjust the boundaries to solve some theretofore unforeseen difficulty.

House Districts:

District 1: This district is the same as the existing district with the exception of Pleasant View Township which is not included in order to bring population as close to the ideal as practicable.

District 2: Because of the location of population intensive areas represented by the small cities in southeast Kansas this district by necessity crosses three county lines in order to achieve the population necessary to be as close to the ideal as practicable. The entire area is one of similar agricultural pursuits and includes the major coal mining areas in Labette and Cherokee Counties and shares a community of interests.

District 3: This district is nearly identical to the existing district and as such would continue to be compact and within the boundaries of the city of Pittsburg with a common community of interests.

District 4: Two townships were added to this district on the southwest portion of the existing district in order to bring the population as close as practicable to the ideal size. The district is clearly defined and easily identifiable in the rural area and in the area included in the city of Pittsburg.

District 5: This district is wholly within the Neosho County boundaries making a district which is compact and contiguous and easily identifiable by the voters.

District 6: The townships in Labette County which are made a part of this district are areas which are served by most utilities and other services from Parsons and are part of the overall trade area and have a common community of interests and comprise a growing and developing community. A township from Montgomery County was also included to bring population as near the ideal as practicable. Construction of a federal reservoir in Osage Township in Labette County and in the immediate vicinity of Cherryvale makes this a practical combination of areas which will share interests with the Parsons area and creates a common community of interests for the area.

District 7: This district consists of all of the city of Coffeyville along with the precinct in the south half of Parker Township and the Fawn Creek Township to the west to where the growth of Coffeyville is expanding and has a community of interests.

District 8: The west edge of this district follows the west boundary of Montgomery County and includes Independence Township with the city of Independence. Voters will be able to easily identify the district boundaries by the four townships and the city of Independence and the district is as close to the ideal district size as practicable.

District 9: This district retains the two counties which comprised the present district and adds Liberty and Neosho Townships from Coffey County in order to achieve a district population as close to the ideal as practicable. The district is easily identified and is as compact as possible and contiguous.

District 10: This district includes all of Allen County as one common area and then reaches into the adjoining counties of Anderson for five townships and Coffey for two townships in order to achieve population needed to meet the ideal as nearly as practicable. All areas of the district have common interests in agriculture and share the same trade areas and have a community of interests.

District 11: The district is basically the same as the present district. There would now be only two townships in Crawford County because of the shift of two townships to District 4 for population adjustments. An addition of two townships from Linn County are made to achieve as nearly as practicable the ideal population for the district. Most of the district's interests are rural in nature and the major trade area is to Fort Scott giving the district a community of interests.

District 12: This district receives the effects of population growth pushing from the north as well as the population intensive areas in the extreme southeast part of the state. The district, however, is clearly definable along the borders of the agriculturally oriented interests of the district. It also contains most of the present district as its base.

District 13: The district northern townships of Lyon County with a similarity in agriculture with a similarity in agriculture with a similarity located within the district agriculture economy and h

Districts 14 and 15: Both districts as the effects of urban metropolitan Kansas City districts. Both retain much present districts and are as

District 16: This district that part of the city of Emporia divided by a straight line Highway 50 which makes the district. This district is as

District 17: The composition in population and no longer terrain and topography of the within the district such that of Emporia now has to be in purposes and for the same reason Lyon County has been deleted south which is also composed

Districts 18-30 inclusive: and include all of Johnson County, McCamish and Garrettsville borders located within this places to achieve a reasonable near the ideal as practicable within a district. The cities of Woods, Westwood, Countryman within a district while the Village, Fairway, Roeiand Park two or more districts to achieve. These districts have a deviation area and the largest deviation county which has experienced proved to be virtually impossible ideal population because of the "blocks" available for compact within this area each representative manipulate and juggle these the ideal would only result in series which would be extremely. Wherever possible, as much effort was made to maintain divisions to aid in voter activities of political organiza-

Districts 31-39 inclusive: Wyandotte County and included townships therein. District boundaries understandable by the voters district boundaries taking affected this area and general district slightly to the west boundaries such as river and railroad tracks, etc. Dis-

District 13: The district is composed of all of Osage County and the six northern townships of Lyon County. The economy of this district is basically agriculture with a similarity throughout the district in such agricultural pursuits. The district has the vast majority of the watersheds of two major federal reservoirs located within the district. It contains numerous small towns oriented to its agriculture economy and has a community of interests.

Districts 14 and 15: Both of these districts are reduced in size from present districts as the effects of urban growth pushing southward from the suburbs of the metropolitan Kansas City area have increased the population in the existing districts. Both retain much of the same contiguous areas which are part of the present districts and are as compact as possible.

District 16: This district includes the major portion of the city of Emporia and that part of the city of Emporia which is not included within this district is divided by a straight line running east and west known as Sixth Street or US Highway 50 which makes this district an easily identifiable and easily understood district. This district is as near the ideal population as practicable.

District 17: The composition of this district reflects some of the eastward shift in population and no longer contains any of the Flint Hills area thus making the terrain and topography of the district quite similar and the agricultural pursuits within the district such that there is a good community of interests. Part of the city of Emporia now has to be included within this district for population equalization purposes and for the same reason Center Township in the southwestern corner of Lyon County has been deleted from this district and placed with the district to the south which is also composed of terrain quite similar to this district.

Districts 18-30 inclusive: These districts are all located within Johnson County and include all of Johnson County except the three western townships of Lexington, McCamish and Gardner. Because of the numerous cities with contiguous borders located within this area it was necessary to break city lines in several places to achieve a reasonable population balance and to hold the population as near the ideal as practicable. Where possible an entire city was included wholly within a district. The cities of Lenexa, Merriam, Leawood, Mission Hills, Mission Woods, Westwood, Countryside, Westwood Hills and Spring Hill are wholly within a district while the cities of Shawnee, Olathe, Overland Park, Prairie Village, Fairway, Roeland Park and Mission have areas which have been placed in two or more districts to achieve population balance as near the ideal as practicable. These districts have a deviation from the ideal population of from -3.4% to +3.2%. The lowest deviation is represented by a district encompassing a growing area and the largest deviation is represented by a district that is in that part of the county which has experienced a declining population in the last few years. It proved to be virtually impossible to arrange districts in this area any closer to the ideal population because of the size of the precincts which are the "basic building blocks" available for composing a legislative district. Virtually all of the precincts within this area each represent 5% or more of the ideal population. To try to manipulate and juggle these "building blocks" so to achieve population closer to the ideal would only result in even less compact areas and districts with boundaries which would be extremely difficult for the voters to identify and understand. Wherever possible, as mentioned before, city lines were maintained and also an effort was made to maintain the integrity of wards and other similar political divisions to aid in voter identification and to disrupt as little as possible the activities of political organization within the various communities.

Districts 31-39 inclusive: These districts are all located within the boundaries of Wyandotte County and include all of Wyandotte County except the western tier of townships therein. District lines make the districts easily identifiable and easily understandable by the voters and are drawn as close as practicable to existing district boundaries taking into account population shifts and trends which have affected this area and generally resulted in a shifting of population out of the district slightly to the west and south. These boundaries tend to follow natural boundaries such as rivers and man-made barriers such as major thoroughfares, railroad tracks, etc. Deviations from the ideal population range from a -4.7% to a

+2.3%. Again a major difficulty in trying to adjust House of Representative districts any closer in population to these deviations is reflected by the size of the precincts which are the basic "building blocks". The districts are as compact as possible and contiguous. The irregularity of the district boundaries in the western part of the county is caused by the rather large expanse of territory covered by the precincts located therein.

District 40: This district includes the western portion of Wyandotte County which is the most rural area of the county and the two adjacent townships in the southeast corner of Leavenworth County and the city of Tonganoxie. The district is as compact as possible and contiguous and is easily identifiable by the voters. The population is as near the ideal population as is practicable. This district as now composed is basically a suburban district in the high growth area of Leavenworth and Wyandotte Counties. Since this area is rapidly growing and represents the settling of population shifting from the metropolitan Kansas City, Kansas, area there is a community of interests.

Districts 41 and 42: These districts contain the same geographical area as the present district areas as defined by the exterior boundaries of District 42 and the state line on the east. District 41 is composed of an area totally within the city of Leavenworth and District 42 contains part of the city of Leavenworth and the townships directly surrounding the city. Part of the city of Leavenworth had to be included within this district to bring the population as near the ideal as practicable. Due to the size of the precincts within the city of Leavenworth and the historical alignment of areas within the city of Leavenworth it was necessary for District 41 to have population a little above that for District 42.

District 43: The eastern portion of Douglas County and the western three townships of Johnson County comprise the area of this district. It includes the cities of De Soto, Edgerton, Gardner, Baldwin City and Eudora which have similar representation interests and have a community of interests. It is basically a rural district and the small towns located within the district generally have economies associated with the rural territory. The district is as compact as possible and contiguous and is easily identifiable and understandable.

District 44: This district is entirely within the city of Lawrence with its eastern boundary generally along the major thoroughfare running north-south through the business core area and extends through the west central portion of the city including the area around the University of Kansas. The district is as compact as possible and contiguous and easily identifiable and has a community of interests associated with the University area of the city of Lawrence.

District 45: This district is composed of the western part of Douglas County and the western part of the city of Lawrence. It is easily identifiable and understandable and as compact as possible and contiguous. Since this district includes the portion of the county into which the city of Lawrence has experienced the greatest growth and is a developing area, there is a good community of interests.

District 46: This district is basically the eastern part of the city of Lawrence and is easily identifiable and understandable by the voters since it lies generally to the east of Massachusetts Street which is the main thoroughfare running north and south through the downtown core area of the city with the exception of one precinct west of Massachusetts which was included in this district to make the population as close to the ideal population as practicable.

District 47: This district includes all of Jefferson County except Norton Township, which has traditionally been represented by the district to the north, and the western and southern townships in Leavenworth County. The district is as compact as possible and is contiguous and easily identifiable and understandable. The district is basically the same as the existing district with the exception of the townships in the southeastern portion of Leavenworth County which are now included in the new District 40. The district as now composed in this plan will have a community of interests.

District 48: The boundaries of this district are unchanged from the presently existing District 47. This district was not changed since it fit generally within the

Plan without a change of population...
District 40...
District 41...
District 42...
District 43...
District 44...
District 45...
District 46...
District 47...
District 48...

plan without a change of district boundaries and will thus avoid unnecessary re-identification upon the part of the voters.

District 49: This district is identical to the present District 48 and has only a -0.7% deviation from the ideal population; therefore, there is no need to change this district to require new voter identification when the population is already as close to the ideal as practicable.

District 50: This district is composed of Soldier Township in Shawnee County and the eastern part of Jackson County lying generally east of Highway 75 except as adjusted by the boundary of Lincoln Township. The district is easily identifiable and understandable with this configuration and contains the northeastern suburban areas of the city of Topeka. The district is very similar to its present boundaries except that the two townships in the southwest corner of Jefferson County in the existing district were deleted to bring the population of the district as near as practicable to the ideal population. This adjustment is warranted in anticipation of continued residential development which has been quite heavy in Soldier Township in Shawnee County. The small communities of Jackson County identify with the economy and activities of the eastern part of Jackson County and have heavy commercial and economic ties with the northeastern part of Shawnee County and have a community of interests.

Districts 51-59 inclusive: These districts are all confined within the boundaries of Shawnee County excepting Soldier Township in the northeast corner thereof which is a part of District 50. The district lines as drawn within the county are as compact as possible and contiguous. The districts were created with a total of only six precincts shifted to adjust the population to be as near the ideal as practicable. The district lines follow major thoroughfares and are drawn along relatively straight lines. They are easily identifiable and easily understandable by the voters. The integrity and priority of existing political subdivisions within the county have been preserved and the districts represent a community of interests insofar as possible. With the shifting of few precincts voter re-identification to their representative district has been held to a minimum. Districts 51 and 57 are identical to the existing districts.

District 60: This district is nearly the same as the present District 49 except three townships in the southwest corner of Brown County were deleted and a tier of townships from the eastern border of Pottawatomie County were included within this district to achieve a population as near the ideal as practicable. The townships in Pottawatomie County for the most part lie east of the upper reaches of the Vermillion River, making the district easily identifiable and easily understandable. The area is of similar topography and agricultural pursuits and has a community of interests.

District 61: This district is very similar to the existing District 60 except for shifting some townships outside of the district to other districts to achieve population as close to the ideal as practicable. The county seat remains intact in Pottawatomie County as a central focusing point for the northern part of the district and the southern part of the district is composed of all of Wabaunsee County. The pattern of major state and federal highways within the district facilitates transportation and communication within the district and the district will remain easily identifiable and understandable.

District 62: This district is quite similar to existing District 61 but is now more compact and easily identifiable. The eastern boundary where the only county line within the district is now broken has been shifted slightly to the east in the southern portion by adding three townships from Brown County to achieve a population as near the ideal as practicable. Four townships in Brown County had been part of the existing district and this adjustment will reinforce their representation.

District 63: This district is basically the same as the existing District 62 which includes Republican and Washington Counties with the addition of the four townships of the northern part of Riley County and one from the northwest corner of Pottawatomie County for the purpose of bringing the population as close to the ideal as practicable. The area added to this district surrounds the upper reaches of

Tuttle Creek Reservoir and is connected by a major highway and bridge. The additional new territory has a community of interests with the agricultural activities of the remainder of the district.

District 64: This district contains Clay County and Geary County except Junction City and also includes two townships in the northeast corner of Dickinson County adjacent to the west shore of Milford Reservoir. These townships were added for population adjustment purposes and are also closely associated with the development and economic activities generally associated with the western shore of the reservoir and have a community of interests with a large part of the central area of this district. The residential area of the Fort Riley Military Reservation has been added to this district which is historically associated with the territory included in District 64 adjacent to District 65. The townships of Odgen and Ashland in Riley County are also included in this district to help bring the population as near the ideal as practicable. Ashland Township lies south of the Kansas River and is closely associated with the economic and agricultural activities of the area to its south, and Odgen Township and the city of Odgen are more closely associated with the military activities and interests of Fort Riley contained within the remainder of the district giving a community of interests with the remainder of the district to this part of Riley County included within this district.

District 65: The district is the city of Junction City and is as near as practicable to the ideal population and has a community of interests. The district is easily understandable and easily identifiable.

District 66: This district is wholly within the Riley County boundary and lies to the west of the lower western shore of Tuttle Creek Reservoir. It includes a large portion of the city of Manhattan which is developing into this area of the county along the western shore of the reservoir and has a community of interests with the remainder of the district. It is easily identifiable and compact and contiguous.

District 67: This district includes the southeastern part of the township of Manhattan and the largest portion of the city of Manhattan. The district is as compact as possible and contiguous and is as close to the ideal population as is practicable. The district is primarily involved with the city of Manhattan and the area immediately adjacent thereto to the east and southeast and has a community of interests.

District 68: This district includes Morris County and the city of Abilene in Dickinson County and that part of Dickinson County surrounding Abilene most closely associated with its economic activity and has a community of interests. The terrain is all contained within the Flint Hills and has similar agricultural pursuits and has a community of interests.

District 69: This district consists of precincts wholly within the city of Salina following precinct borders and major trafficways in order to define an easily identifiable and easily understandable district. The population was adjusted as near as practicable to the ideal population taking into consideration the size of the precincts involved.

District 70: This district is composed of Marion and Chase Counties and is totally within the boundaries of these two counties. This is an easily identifiable and understandable district and is as compact as possible and contiguous. The entire district is primarily Flint Hills country and shares a common agricultural pursuit and has a community of interests. The population is as near the ideal as practicable.

District 71: This district is included wholly within the city boundaries of Salina and was formed in conjunction with the formation of District 69 with the same considerations.

District 72: This district includes all of the city of Newton and three townships in northeastern Harvey County and two townships in northwestern Butler County to the north and northeast of the city of Newton. The rural area to the east and northeast of the city of Newton is serviced by good allweather highways into the city of Newton which is the trade center for this area. It was necessary to add these townships to bring the population as near the ideal as practicable. Any adjustment

in this district would mean greater distances and more difficult and costly agricultural interests.

District 73: This district is M. Pierce County and two other townships in the district. The district is identifiable and understandable.

District 74: This district is of Saline County and town of Herington in order to bring southern part of the district to the remainder of the district. The district is geographically centered in the area and is the most compact and identifiable district. The district has a community of interests with the agricultural activities of the district.

District 75: This district is the four northwestern townships as compact as possible and understandable. All parts of the federal highway are in this district which is the most topographic and is easily identifiable and compact.

District 76: This district is addition of Center Township to bring the population more and therefore make the population of this district closer to the ideal. The Osage County Reservoir district are very identifiable in the district are very identifiable agricultural activities through Highway 70 generally from east-west townships of the district.

District 77: This district is of Rosalia and including in it. The city of Augusta is within comprising the district and Augusta facilitating with the entire Flint Hills area of interests. The district is identifiable and understandable.

Districts 78 and 79: These except two townships in the district to bring the population. These two county jurisdictions division of the county to the settled rural areas which are.

District 80: This district is centered upon the major road to the northeast corner of the county. The southern half of the county is a community of interests.

in this district would cause major adjustments in adjoining districts and create greater deviations from the ideal population. This district is compact and contiguous and easily identifiable and understandable and has a community of interests.

District 73: This district includes the twelve northeastern townships of McPherson County and include the cities of Lindsborg and McPherson. These two cities have a community of interests and comprise the trade centers for all of the district. The district is compact as possible and is contiguous and is easily identifiable and understandable.

District 74: This district includes the southeast part of the city of Salina and all of Saline County and nine townships in Dickinson County including the city of Herrington in order to bring the population as near the ideal as practicable. The southern part of Dickinson County attached to this district is easily accessible to the remainder of the district by a major state highway which facilitates communication and travel through the district. The city of Salina is located near the geographical center of the district and is easily accessible to all parts of the district and is the major trade center for this part of the state and especially for this district. The district has a community of interests in both the trade center and the agri-business economy of the entire district.

District 75: This district is basically the northern half of Butler County except the four northwest townships thereof and the southeast township. The district is as compact as possible and is contiguous and is easily identifiable and understandable. All parts of the district are serviced by good all-weather state and federal highways converging on the city of El Dorado contained within the district which is the major trade center for this area. It is basically Flint Hills in topography and is mostly concerned with agricultural pursuits compatible with the terrain and has a good community of interests.

District 76: This district is the same as the present district except for the addition of Center Township from Lyon County which was placed in this district to bring the population from a negative deviation to a slightly positive deviation and therefore make the population as near the ideal as practicable. The area within this district contains the bulk of the Chautauqua Hills and also the western part of the Osage Questas. Because of this terrain the agricultural interests of the entire district are very compatible and have a community of interests. The communities in the district are very similar in size for the most part and are related to the agri-business activities throughout the district and have a community of interests. Highway 99 generally traverses the district from north to south with adequate east-west cross roads all of which facilitate travel and communication throughout the district.

District 77: This district is the southern half of Butler County plus the township of Rosalia and excluding the two townships in the southwest corner of the county. The city of Augusta is within this district and is the focal point for the trade area comprising this district which is served by roads converging upon the city of Augusta facilitating travel and communication within the district. The district is entirely Flint Hills terrain and generally ranch land and has a community of interests. The district is as compact as possible and contiguous and is easily identifiable and understandable.

Districts 78 and 79: These two districts are located within Cowley County except two townships in the southwest corner of Butler County which were added to District 78 to bring the population as near the ideal as practicable. District 78 contains the city of Winfield and District 79 contains the city of Arkansas City. These two major population centers located within the same county dictate the division of the county in this manner and the inclusion of relatively sparsely settled rural areas which are mostly Flint Hills terrain.

District 80: This district is all within the borders of Sumner County and is centered upon the major population center of Wellington. The two townships in the northeast corner of the county which contain the cities of Belle Plaine and the southern half of the city of Mulvane are attached to Sedgwick County since their community of interests is more identifiable to the district in Sedgwick County

adjoining these two townships. The western tier of townships in the county are excluded from this district and attached to the district to the west for purposes of bringing the population as close to the ideal as practicable. The western boundary of this district is identical with the western boundary of the Senate district encompassing this district making the western district boundary more easily identifiable and understandable. The district is as compact as possible and contiguous. All of the territory within the district is of similar terrain and has a common agricultural activity and a community of interests. Virtually all of the small cities within the county are contained in this district.

Districts 81-98 inclusive: These districts are all located within the confines of Sedgwick County and two townships in the northeast corner of Sumner County containing the cities of Belle Plaine and the southern half of the community of Mulvane which is divided by the county line. The formation of districts which are contained wholly within the city limits of the city of Wichita was most difficult since the Committee had to work under guidelines of the Committee to hold the population deviation within plus or minus 5%. In the House of Representatives 5% deviation is only 944 people and most precincts have population with wide variances and using these "building blocks" causes boundaries to appear odd in design. These "building blocks" required major efforts in revision in order to recognize the constraints of major thoroughfares and freeway barriers and natural barriers such as rivers, drainage ditches, etc. Working with these constraints the districts contained wholly within the city limits are as compact as possible. Two townships from Sumner County were included with District 81 in the southeast part of Sedgwick County to help relieve the over population situation of Sumner County if these townships had been retained within a district located primarily in Sumner County. This also avoids splitting Mulvane. District 93 is generally the western part of the county and contains most of the third-class cities located in the county and has similar topography and agricultural pursuits and represents a community of interests. The remaining districts on the fringes of the city of Wichita contain some of the precincts on the edge of the city and adjacent undeveloped areas which do contain many suburban dwellings. They are as compact as possible and contiguous and were constructed as close to the ideal population as practicable.

District 99: Because of the population patterns in the surrounding districts and the location of cities of sizable population therein, it was necessary to form this district from portions of three counties. The communities of Potwin, Whitewater, Halstead, Hesston, Burrton, Moundridge and Inman contained within this district have a community of interests with respect to their representation problems and in relation to the surrounding agricultural area. The district is all rural in nature and in a large part the people living therein are of the same ethnic background and have a common philosophical interest, the area has an agri-business economy and also includes the heart of the Equus Bed and has a community of interests.

District 100: This district has all of Barber and Harper Counties and the western tier of townships from Sumner County and ten townships from the southern part of Kingman County. The eastern boundary of the district coincides with the eastern boundary of the Senate district encompassing this Representative district and is therefore easily identifiable which will cause a minimum of confusion to the voters. The townships of Kingman County attached to this district for the purpose of bringing the population as near the ideal as practicable have basically the same terrain as the major portion of the district and contain that part of the Red Hills which is located in Kingman County and runs generally through the remainder of the district. These townships have a community of interests with the remainder of the district and the district is as compact as possible and contiguous.

District 101: This district is very similar to the present District 81. It is a rural agricultural district containing the eastern tip of the High Plains area which extends into this part of the state from the western area of the state and has a community of interests. The southern boundary of this district was extended to the south to take in additional population to compensate for the removal of the township of Little River in Reno County and placing it in District 103.

Districts 102 and 104: Both of these districts are confined within the city limits of the city of Hutchinson and basically divide the city between the north half and south half which permits easily identifiable and easily understandable districts for the voters. Adjustments were made in the existing districts to bring the two districts into as equal population as practicable.

District 103: This district contains the northwest part of Reno County and the area surrounding the city of Hutchinson on the northwest and two townships in the northeast corner of the county. The district is very similar to the existing district with the exception of Little River Township. The district combines rural and suburban areas which have a community of interests with the northwest part of this county with the rural area predominance of the district being maintained.

District 105: This district includes all of Rice County and the southern three-fourths of Ellsworth County together with the western tier of townships of McPherson County. All of the area has a very similar agricultural economy. The western tier of townships of McPherson County are very closely identified with the agricultural interests of Rice County and the major oil field in the northcentral part of the district which extends both north and south of the county line between Rice and Ellsworth Counties and the fact that the city of Lyons is the trade center for the entire district creates a community of interests. It is as compact as possible and contiguous and is easily identifiable and understandable.

District 106: This district is located in a relatively sparsely settled part of the state and the townships which make the "building blocks" of this area are an exception to the general rule in the state in that they contain for the most part less than 100 people in each township. This results in crossing several county lines in order to construct a district as close to the ideal population as practicable. The district is as compact as possible and contiguous.

District 107: This district is composed of the greater part of Cloud and Ottawa Counties and is easily identifiable and understandable. The district is as compact as possible and contiguous and is similar to existing District 108 other than having been adjusted to the east slightly to reflect the eastern shift in population. The district has a similar agricultural makeup and a community of interests. This district is traversed north-south and east-west by major traffic arteries facilitating communication and travel throughout the district.

District 108: This district includes Comanche, Kiowa and Pratt Counties and the eastern half of Clark County. This district and most of the districts through the western part of the state are all rural oriented districts and have large territories due to the sparse populations. Townships, which are the basic "building blocks" used in constructing these districts, have a relatively large territory within their boundaries when compared to most of the rest of the state. Shifting these townships in order to maintain population as near the ideal as practicable tends to create major border variations for some of the districts and necessitate the breaking of some county boundaries in order to achieve population adjustments to bring populations as near the ideal as practicable. Since the shifting of one of these townships can represent a shift of several percentage points of the ideal district population the population deviations in the districts in the western part of the state can fluctuate considerably between adjoining districts. There is little that can be done to avoid this without creating very erratic and odd-shaped boundaries which would cause considerable confusion for the citizens within this part of the state.

District 109: The district contains three complete counties thus maintaining county lines and makes an easily identifiable district as compact as possible and contiguous. The district contains the communities of Smith Center, Osborne and Mankato which are the most urban areas in the district presently pursuing economic development policies. The district as a whole has a rural economy and the communities therein are related in their economic activities and have a community of interests. The district is connected by two highways which facilitate commerce and communication.

District 110: Rush County is rural, Volga-German and Catholic thereby fitting into rural Ellis County quite well. The people in Rush County shop and work in

Ellis County and attend civic and social functions there. Most people in Rush County have relatives from Ellis County, having originated there. The same holds true for the western half of Russell County. The district as a whole is rural, being connected by US Highway 183 and Interstate 70 thereby facilitating communication and travel within the district. The district is as compact as possible and contiguous. The district also borders on the 111th District which is a major growth area containing the city of Hays.

District 111: This district is an ethnic and religiously integrated one. The district contains all of the city of Hays which is the major population center in this part of the state and the rural townships bordering the city to the west and south. The growth of the district is to the east, thus the maintenance of the area to the west and south is imperative to keep the population as near equal to the ideal as practicable. The townships in the southwest corner of Ellis County are included in this district to make the population as near the ideal as practicable and the people in this area work and attend civic and social functions in Hays and have a community of interests with the city of Hays.

Districts 112 and 113: These two districts are contained totally within the boundaries of Barton County and generally split the county north-south dividing the city of Great Bend as well as the surrounding area of the county. The districts are as compact as possible and contiguous and are easily identifiable and have a population as near the ideal as practicable with District 112 having a population deviation of +1.5% and District 113 having a -0.8% deviation.

District 114: This district is similar to the present Representative district for this area but restores all of Edwards County and Stafford County to this district. The district is now composed of three complete counties—Pawnee, Edwards and Stafford. The district is well-served by several major state and federal highways connecting all major population centers within the district in all directions thus facilitating transportation and communication throughout the district. The district is as compact as possible and contiguous and is an easily understandable and easily identifiable district.

District 115: This district is composed of a great deal of area that is sparsely settled outside of and surrounding Dodge Township in Ford County and the comments made with reference to District 108 would be applicable to this district. The district includes the two townships of the eastern two-thirds of Haskell County which identify more closely in agricultural activity and other economic considerations and have a community of interests more closely related to that area to the east. The district has been adjusted to bring the population as near the ideal as practicable.

District 116: This district includes Dodge Township and Dodge City therein which creates a district as near the ideal as is practicable and one which has a community of interests.

District 117: This district is another rural district located in a relatively sparsely settled area of the state and the comments made with respect to District 108 are also applicable to this district. The district contains the southern two-thirds of Ness County and all of Lane, Hodgeman and Finney Counties except the city of Garden City. The district is as compact as possible and contiguous and is easily identifiable and understandable. The agricultural activities and the agri-business related economics of all the communities within the district give the district a community of interests.

District 118: This district is also located in a relatively sparsely settled section of the state and again the comments with respect to District 108 are applicable. This district includes the western two tiers of townships in Rooks County and the northern tier of townships in Ness County and all of Graham, Trego, Gove and Logan Counties. A major federal highway transverses the district east and west and also connects with major north and south state and federal highways facilitating communication and travel throughout the district between all of its major population centers.

District 119: This district consists of all of Phillips County, the eastern three tiers of townships of Rooks County and the northern half of Norton County. Again

the comments with respect to this is especially so with any closer to the ideal population shifts in the deviation of would be confusing to the understandable and identifiable easily identifiable and understandable possible and contiguous

District 120: The district half of Norton County and addition of the townships were added for population near the ideal as practicable travel through the district this district has a community

District 121: The district change in identity by the compact as possible and contiguous of Colby and Goodland are a community of interests

District 122: This district compact as possible and especially true since this require a change of voter and Lakin which have grow

District 123: This district City which is the major population contains the community which indicate a potential work within the corporate interests.

District 124: This district four counties in the western or the western township of and contiguous and is easily change of voter identity community of interests with district.

District 125: This district of Liberal which is a potential school and industry which Meade County were added population as near as practicable Meade County generally at that community as there is

The foregoing was adopted of Representatives Committee tionment held on February Appendix B to Special Session

House Committee—Final

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the comments with respect to District 108 would be applicable to this district and this is especially so with this district in trying to adjust the population to bring it any closer to the ideal population. Any adjustments in this district result in major shifts in the deviation of adjoining districts and only create boundaries which would be confusing to the voters and would make the district less easily understandable and identifiable. As drawn now the district boundaries are generally easily identifiable and understandable by the voters. The district is as compact as possible and contiguous.

District 120: The district is composed of four complete counties and the south half of Norton County and is the same as the present district except for the addition of the townships composing the southern half of Norton County which were added for population equalization purposes and to bring the population as near the ideal as practicable. A major highway connects the district and facilitates travel through the district and the rural portion of Norton County now placed in this district has a community of interests with the remainder of the district.

District 121: The district is the same as the present district thus facilitating no change in identity by the voters and contains three complete counties making it as compact as possible and contiguous and easily understandable. The communities of Colby and Goodland are college towns and have developing industry and have a community of interests.

District 122: This district is composed of five complete counties making it as compact as possible and contiguous and easily identifiable to the voters. This is especially true since this district is the same as the present district and will not require a change of voter identity. This district contains the cities of Scott City and Lakin which have growth potential.

District 123: This district is contained within the corporate city limits of Garden City which is the major population center in this part of the state. The district contains the community junior college and a thriving livestock industry all of which indicate a potential for growth. All the people live within the district and work within the corporate city limits for the most part and have a community of interests.

District 124: This district is the same as the present district and contains the four counties in the southwest corner of the state together with the west one-third or the western township of Haskell County. The district is as compact as possible and contiguous and is easily identifiable by the voters and will not require a change of voter identity. The western one-third of Haskell County shares a community of interests with the Hugoton Gas Field which covers most of the district.

District 125: This district is composed of Seward County and contains the city of Liberal which is a potential growth area having a community college, a vo-tech school and industry which is developing. The two townships in the west part of Meade County were added for population equalization purposes to make the population as near as practicable to the ideal. The citizens of the two townships of Meade County generally shop and work and attend functions in Liberal and look at that community as their trade center.

The foregoing was adopted as part of the minutes of the meeting of The House of Representatives Committee on Legislative, Judicial and Congressional Apportionment held on February 26, 1979.

Appendix B to Special Report of the Committee on Legislative, Judicial and Congressional Apportionment
House Committee—Final February 22, 1979

District	Population	Deviation
1	18,837	-0.2%
2	18,461	-2.2
3	18,530	-1.8
4	18,315	-2.9
5	18,245	-3.3
6	18,765	-0.6
7	17,949	-4.9

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District	Population	Deviation	District
8	18,710	-0.9	67
9	18,752	-0.6	68
10	18,300	-3.0	69
11	18,774	-0.5	70
12	19,754	+4.7	71
13	18,500	-2.0	72
14	19,438	+3.0	73
15	18,762	-0.6	74
16	18,696	-0.9	75
17	18,460	-2.2	76
18	18,706	-0.9	77
19	19,197	+1.7	78
20	19,205	+1.8	79
21	18,571	-1.6	80
22	19,130	+1.4	81
23	18,984	+0.6	82
24	19,479	+3.2	83
25	19,252	+2.0	84
26	18,738	-0.7	85
27	18,226	-3.4	86
28	19,080	+1.1	87
29	19,000	+0.7	88
30	18,950	+0.4	89
31	18,496	-2.0	90
32	19,200	+1.7	91
33	18,961	+0.5	92
34	18,800	-0.4	93
35	19,315	+2.3	94
36	19,039	+0.9	95
37	18,296	-3.1	96
38	17,983	-4.7	97
39	19,110	+1.3	98
40	18,960	+0.5	99
41	19,819	+5.0	100
42	19,562	+3.6	101
43	19,089	+1.1	102
44	19,410	+2.8	103
45	19,073	+1.1	104
46	18,021	-4.5	105
47	19,198	+1.7	106
48	19,719	+4.5	107
49	18,621	-1.3	108
50	18,381	-2.6	109
51	18,380	-2.6	110
52	19,168	+1.6	111
53	18,720	-0.8	112
54	19,123	+1.3	113
55	19,250	+2.0	114
56	18,034	-4.5	115
57	18,465	-2.2	116
58	19,402	+2.8	117
59	18,873	-0.0	118
60	19,338	+2.5	119
61	18,291	-3.1	120
62	18,509	-1.9	121
63	18,394	-2.5	122
64	19,210	+1.8	123
65	18,657	-1.2	124
66	19,353	+2.5	125

District	Population	Deviation
67	18,781	-0.5
68	19,533	+3.5
69	18,050	-4.4
70	19,562	+3.6
71	18,086	-4.2
72	18,554	-1.7
73	18,576	-1.6
74	18,982	+0.5
75	19,170	+1.6
76	19,212	+1.8
77	19,266	+2.1
78	19,156	+2.0
79	19,320	+2.4
80	18,160	-3.8
81	19,452	+3.1
82	19,573	+3.7
83	19,525	+3.4
84	18,880	+0.0
85	19,001	+0.7
86	19,574	+3.7
87	19,271	+2.1
88	18,990	+0.6
89	19,522	+3.4
90	18,636	-1.3
91	19,178	+1.6
92	19,373	+2.6
93	19,379	+2.7
94	18,899	+0.1
95	19,369	+2.6
96	19,778	+4.8
97	19,213	+1.8
98	18,978	+0.5
99	18,294	-3.1
100	18,476	-2.1
101	18,472	-2.1
102	18,255	-3.3
103	18,165	-3.8
104	18,074	-4.2
105	19,564	+3.7
106	18,391	-2.6
107	18,262	-3.2
108	18,203	-3.6
109	18,464	-2.2
110	19,135	+1.4
111	18,484	-2.1
112	19,154	+1.5
113	18,727	-0.8
114	18,395	-2.5
115	18,727	-0.8
116	18,743	-0.7
117	19,136	+1.4
118	19,407	+2.8
119	19,735	+4.6
120	18,379	-2.6
121	18,587	-1.5
122	18,614	-1.4
123	18,201	-3.6
124	19,581	+3.7
125	18,652	-1.1

STATE OF KANSAS • HOUSE OF REPRESENTATIVES

JOAN ADAM

Representative, 48th District
305 North Terrace, Atchison, Kansas 66002

memorandum

MEMO

TO: Vince Snowbarger

FROM: Joan Adam *JA*

RE: Appropriate Language for Guideline
Regarding Compactness and Contiguity

Your asked me to do some thinking about appropriate language on the question of Compactness and Contiguity. I have visited with Fred Carman in the Revisors Office as well as Bob Coldsnow and I have included the memorandum that Mr. Coldsnow provided me.

Although Fred Carmen felt we could use language such as "contiguous as practicable", I agree with Bob Coldsnow's view that either areas are contiguous or they are not. Since sub-committee members are likely to receive contacts from their local election officials regarding exclaves or enclaves, it seems to me wise to set a clear guideline regarding contiguity for the sub-committees.

Let me know how you wise to proceed.

*L., J & C. Apportionment
2-21-89
Attachment 6*

MEMORANDUM

DATE: February 13, 1989

TO: Representative Joan Adam

FROM: Robert A. Coldsnow, Legislative Counsel *R.A.C.*

SUBJECT: Modification of language of guideline as to "compact as possible and contiguous."

You inquired for suggestions of language which might be used to modify the proposed guideline referenced above. When I suggested such modification might be difficult and inadvisable in light of some court decisions, you requested a memo. This memo is in response to your request.

Compactness is quantifiable. It can be measured and observed. It is usually qualified by such language as "as possible," "as practical" or "as practicable." This qualification represents a recognition of the limitations which can be imposed by the use of precincts as the "building blocks" for legislative districts. These "building blocks" can and do vary considerably in geographic configurations and population totals. Thus, depending upon the area of the State involved, in order to meet the primary criteria of equal representation, the most ideal representation of compactness may be somewhat difficult to achieve. On the other hand, two precincts or "building blocks" are either contiguous; or, they are not contiguous if they fail to touch or adjoin each other.

Reynolds v. Sims, 377 U.S. 533, 84 S.Ct. 1362 (1964) stated:

A State may legitimately desire to maintain the integrity of various political subdivisions, insofar as possible, and provide for *compact districts of contiguous territory* in designing a legislative apportionment scheme. Valid considerations may underlie such aims. Indiscriminate districting, without any regard for political subdivision or natural or historical boundary lines, may be little more than an open invitation to partisan gerrymandering. (emphasis added) 377 U.S. at 578-79, 84 S.Ct. at 1390.

While there is no specific constitutional State or federally imposed requirement of compactness and contiguity of legislative districts, the state and federal courts in Kansas recognize the necessity for the creation of districts which are compact geographically and contiguous territorially. *Harris v. Shanahan*, 192 Kan. 183, 205 (1965); *Long v. Docking*, 283 F.Supp. 539, 542 (1968); *Winter v. Docking*, 356 F.Supp. 88, 90 (1973).

The most recent Kansas case on legislative reapportionment, *In re* House Bill No. 2620, 225 Kan. 827 (1979) summed up as follows:

However, all courts generally agree that lack of contiguity or compactness raises immediate questions as to political gerrymandering and possible invidious discrimination which should be satisfactorily explained by some rational state policy or justification. 225 Kan. at 834.

The question of qualifying language for any contiguity criteria appears to have arisen because of the city precinct exclaves and township enclaves in various areas of the state. These appear to be much more proliferate in 1989, or at least they are now more clearly identified. In a great many instances, these exclaves and enclaves are uninhabited and therefore would have no practical effect upon the legislative district populations. Very early in the case law on legislative reapportionment it was determined "[l]egislators represent people, not trees or acres. Legislators are elected by voters, not farms or cities or economic interests. . . . [P]eople, not land or trees or pastures, vote." *Reynolds v. Sims* supra, at 377 U.S. 562 and 580. Noted in *Harris v. Anderson*, 194 Kan. 302 at 303 and 304 (1965). Therefore, concerns for a particular type of geographic area such as the exclaves or enclaves would not seem to have a very high priority when compared to "compact as possible and contiguous."

The existence of such exclaves and enclaves should not prevent the drafting of contiguous legislative districts. Where such exclaves and enclaves may be populated, special care in drawing districts could be, and probably should be, used to see if it is possible to place any city precinct which may have an exclave in an adjoining township into the same legislative district in a contiguous manner. Conversely, any township with an inhabited enclave within a city should be placed, if at all possible, in a contiguous legislative district with that part of the city in which the enclave is located.

Where such exclaves and enclaves can not be placed within such contiguous legislative districts as suggested above, great care should be taken to clearly identify for the Revisor's office those districts which have exclaves and enclaves separated from their "parent" city precinct or township, as the case may be, by a legislative district boundary. Such clear identification will aid the Revisor in drafting any reapportionment bill and assure the correct descriptions for the legislative districts. Where it is impossible to put exclaves and enclaves together with their "parent" city precinct or township, there may be some additional adjustment necessary for local election officials in conducting legislative elections.