

Approved VKS

Date 4-29-89

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

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

12:40 ~~am~~/p.m. on March 29, 1989 in room 519-S of the Capitol.

All members were present except:

Representatives Bunten, Charlton, Hensley, and Jenkins

Committee staff present:

Fred Carman and Arden Ensley, Revisors  
Robert Coldsnow, Legislative Counsel  
Stanley Rasmussen, Asst. Legislative Counsel  
Mary Galligan, Research  
Marian Holeman, Committee Secretary

Conferees appearing before the committee:

Copies of the following communications received from the public were distributed to committee members and staff: National Association for the Advancement of Colored People, Kansas State Conference of Branches, by Mrs. Louisa A. Fletcher, President (Attachment 1); Resolution No. 1989-13, Board of County Commissioners of Leavenworth County, Kansas (Attachment 2); Resolution No. 36923 of the City of Kansas City, Kansas and attached letter of City of Kansas City by Donna M. Teasley, Deputy City Clerk (Attachment 3); Letter from Robert Homolka, Mayor of the City of Ellsworth, Kansas (Attachment 4); Letter from the Republican Central Committee of Wyandotte County, Kansas by Zelma A. Sully, Chairman (Attachment 5); Letter from City of Holyrood, Kansas by Vella Mae Jantz, City Clerk (Attachment 6); City of Lyons, KS. Resolution 248 with attached letter signed by Norma Miller, City Clerk, City of Lyons (Attachment 7).

Minutes from February 21, 1989 and corrected minutes from February 7, 1989 were also handed out. The February 7 correction is the addition of Attachment 7 to show distribution of the Guidelines and Criteria for the committee. Representative Adam has some changes for the minutes of January 24, 25, 26, 30, and February 7, 1989. She will present them in tomorrow's meeting. Approval of minutes delayed until tomorrow.

Chairman Snowbarger announced that today's meeting was called because time is short, staff is "going crazy" and there is an awful lot of work left to be done in the sub-committees. Research, Revisors and Legislative Counsel can't do their job without input from the sub-committees. Legislative Counsel must have reports from the sub-committee chairmen similar to the 1979 report which explains reasons for district lines.

Chairman Snowbarger called for reports from the sub-committees. Representative Shore reported on the Southwest-West area, comprising approximately the western one-third of the state from Hays, south through Pratt and the Kingman area. The map is completed with the exception of two districts in Garden City where it is just a matter of making the numbers match. There was no dissenting minority report.

Representative Roe reported on the Central area. Details for north of Hutchison and East of Great Bend still need work. This area will have two districts less than under existing law. Problems are mainly the shortage of people and the medium size cities and rural areas. They are trying to keep the communities of interest, and to preserve as many county subdivisions, and political lines as possible. Representative Whiteman reported expectation of another map by late Friday of this week. Chairman requested map by Thursday. Mr. Ensley reminded members they are dealing with over 3,000 parcels of election tracts. To check something like this will certainly take longer than a week-end. The loss of one tract brought down the entire plan last time around. Mary Galligan advised that Research has proposals from Representatives Shore, Roe, and Miller. They also have

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LEGISLATIVE, JUDICIAL AND CONGRESSIONAL  
APPORTIONMENT,  
 room 526-S, Statehouse, at 12:40 ~~xxx~~/p.m. on March 29, 1989

proposals for Wyandotte, Johnson, and Sedgwick counties. Shawnee County is included in Representative Miller's proposal. They have some materials that are still in the formative stage in the computer from Representative Freeman's southeast Kansas area. Research is generating the reports on which the Revisors are basing the bill draft. This two-step process is delayed even further when data is not provided to Research. From this point forward Research will be amending what they now have.

Representative Williams reported on Sedgwick County. They have reached tentative agreement on two alternative plans. Both he and Representative Grotewiel feel these plans meet the Guidelines and Criteria for redistricting. Another plan has been submitted to them for consideration. Rep. Grotewiel stated that essentially they have been in agreement for about a month. Finalization depends on what happens around them. Both plans go outside of Sedgwick, but in a limited manner.

Representative Freeman stated they are still waiting for a Southeast map proposal from Representative Whiteman. She reported she is awaiting a checkoff of numbers and is working with Research. Representative King reminded members of the problem with Andover and the need to coordinate figures.

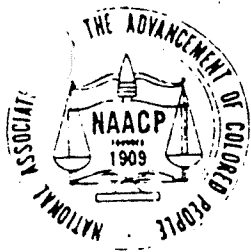
Chairman Snowbarger expects finalized map on Johnson County by tomorrow. Representative Reardon anticipates getting a map to Research and will have something to present tomorrow on Wyandotte County.

Representative Miller's Northeast sub-committee has had an extremely difficult time because so many other areas impact on this one. They have drawn maps, made proposals, and had counter-proposals. Representative Bunten has put together a Shawnee County map. What happens in Shawnee County affects the rest of the Northeast area. Everyone is working on maps. They expect to have something by tomorrow.

Staff again urged prompt submission of data. Chairman Snowbarger outlined the new schedule. Now the plan is to meet again on adjournment tomorrow and bring out available maps. Sub-committees should meet and have maps by tomorrow morning. Public hearings will be scheduled for Friday. We may have public hearings on Saturday, if we are scheduled to work. Final action must be taken on the bill as soon as possible next week; hopefully, on first adjournment Monday. If not then, on second adjournment Monday. Public hearings will not be held tomorrow. The committee will look at Representative Adam's proposed changes in the minutes tomorrow and consider sub-committee reports and maps.

Meeting adjourned at 1:15.





National Association for the Advancement of Colored People  
Kansas State Conference of Branches

101 North Neconi Ave. • Bonner Springs, Ks. 66012 (913-422-2052)

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Bonner Springs, Ks.

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Salina, Ks.

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Religious Affairs

Rev. Kenneth Hill

Veterans & Arm Services

Daniel Nobles

Youth Work

Raymond Parks

February 22, 1989

Rep. Vincent K. Snowbarger  
Room 446-N Capitol Bldg.  
Topeka, Kansas 66612

Dear Mr. Snowbarger:

We recognize there is much dissatisfaction with the State Census. No doubt, legal action will be required to properly protect the rights of minorities and ethnic neighborhoods.

The National Association For The Advancement of Colored People is a Civil Rights Organization. It is not funded by tax-payers dollars.

Even if we could comply with your requests, it would be meaningless, since maps are currently being drawn. However, we will continue to research, monitor and disseminate information to those persons affected by the inaccuracies of the State Census. Wyandotte County, a densely populated area for ethnics and minorities appears to have little participation in the pre-planning, advisory or follow-up of the census.

Sincerely,

  
Mrs. Louisa A. Fletcher, Pres.

LAF;aw

Enc.

cc: Mr. Kenneth C. Groves  
Gov. Mike Hayden  
Committee-Redistricting

L.J. + C Apportionment  
3-29-89  
Attachment 1

FEB 21 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 reservatons, 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 disctircts for the 1990 election.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF Leavenworth 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 inaccurate 1988 state census;

*L.J. & C. Apportionment  
3-27-89  
Attachment 2 (over)*

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 16th day of February, 1989.

ATTEST:

Larry E. Scheller by J. Klaanika  
Larry E. Scheller  
County Clerk

BOARD OF COUNTY COMMISSIONERS  
LEAVENWORTH COUNTY, KANSAS

John A. Junk  
John A. Junk, Chairman

Edward E. Powers  
Edward E. Powers, Member

Kevin E. Reardon  
Kevin E. Reardon, Member

RESOLUTION NO. 36923

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 reservatons, 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 distcirtcts for the 1990 election.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF  
Kansas City, 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;

*L.J.+C. Apportionment  
3-29-89  
Attachment 3*

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 16<sup>th</sup> day of February, 1989.

ATTEST:

Deanna M. Seasley

DEPUTY CITY CLERK

Tom G. Roberts

CITY CLERK



# City of Kansas City, Kansas

OFFICE OF CITY CLERK

(LOCAL REGISTRAR OF VITAL STATISTICS, DIST. 105-A)



TOM G. ROBERTS, CMC

City Clerk

Municipal Office Building  
One Civic Center Plaza  
Kansas City, Kansas 66101  
(913) 573-5260

February 22, 1989

Representative Vincent K. Snowbarger  
Chairman of the House Committee on Legislative,  
Judicial and Congressional Apportionment  
State House  
Topeka, Kansas 66612

Dear Representative Snowbarger:

Enclosed please find Resolution No. 36923 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.

Sincerely,

A handwritten signature in cursive script that reads "Donna M. Teasley".

Donna M. Teasley  
Deputy City Clerk

DMT:so

Enclosure

MAR 21 1989

March 15, 1989

Hon. James D. Braden  
State House  
Topeka, Kansas 66612

Hon. Marvin Barkis  
State House  
Topeka, Kansas 66612

Hon. LeRoy Fry  
State House  
Topeka, Kansas 66612

Hon. Vincent K. Snowbarger  
State House  
Topeka, Kansas 66612

Hon. Keith Roe  
State House  
Topeka, Kansas 66612

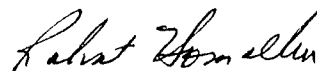
Gentlemen:

I wanted to send you all a letter to let you know about the Resolution that the City Council of Ellsworth passed at their March 13th meeting. That Resolution is as follows:

Be it Resolved that the City of Ellsworth hereby records its support for a reapportionment plan that preserves the county as a unit and supports the inclusion of Rice and Ellsworth County as a unit in a legislative district based on the past close co-operation of the counties and the joint interests of the two counties.

We are strongly in favor of keeping Rice and Ellsworth counties together in one legislative district. According to the population figures that we have been furnished, the two counties together form an almost ideally sized district as far as population is concerned. We hope you will give our wishes strong consideration.

Very truly yours,



Robert Homolka  
Mayor of the City of  
Ellsworth, Kansas

RH/v

L.J. + C. Apportionment  
3-29-89  
Attachment 4

Republican Central Committee  
of Wyandotte County



ZELMA SULLY  
Chairman  
P.O. Box 2212  
Kansas City, Kansas 66102  
621-2860

March 14, 1989

MAR 27 1989

ADOLPH HOWARD  
Vice Chairman  
621-6434

DONNA HARSH  
Secretary  
676-6473

MERLYN BROWN  
Treasurer  
441-3137

DONALD C. LONG  
Asst. to Chairman  
441-2514

JOSE MEDINA  
Asst. to Vice Chairman  
236-8640

CLAYTON SAVIOR  
Sergeant-at-Arms  
342-9009

Representative Vincent K. Snowbarger  
Chairman, Committee on Reapportionment  
State Capital Building, Room 446-N  
Topeka, Kansas 66612

Dear Representative Snowbarger:

We in Wyandotte County are concerned about the possible removal on one of two precincts from District 39, Ward 7-9 and Ward 12-4, through reapportionment.

Being elected as a Republican in Wyandotte County is not an easy task. The ratio of democrats to republicans is 3 to 1 respectively. That a great deal of effort went into the election of Hank Turnbaugh is an understatement. It was attained through very hard work, perserverance, and the determination of many people.

Now it appears that Representative Turnbaugh is about to have one of his areas of greatest support taken from him through reapportionment. This appears to be an effort of our Wyandotte County Democratic Central Committee Chairman, Mike Peterson, to strip Hank Turnbaugh of his greatest area of support. The Wyandotte delegation who are proposing the boundaries in discussing their fairness will point to their individual sacrifices. However, in a heavily democratic county, the number of altered precincts constitutes neither equity nor comparable worth.

We realize the legislature deals with a great many important issues and there may be a tendency to view one or two precincts in Wyandotte County as insignificant. However, we urge you to consider carefully and closely examine the numbers involved. Any assistance you can provide in assuring Representative Turnbaugh is treated fairly will be greatly appreciated.

Sincerely,

*Zelma Sully*

Zelma A. Sully  
Republican Central Committee  
of Wyandotte County

L.J.C. Apportionment  
3-29-89  
Attachment 5

# CITY OF HOLYROOD

INCORPORATED 1901

BOX 67

HOLYROOD, KANSAS 67450

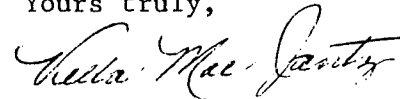
MAR 24 1989

March 23, 1989

Honorable Representative,

The Honorable Mayor Chester Nienke and City Council of the City of Holyrood wish to make it known that they support the resolution for a reapportionment plan that preserves the county as a unit and supports the inclusion of Rice and Ellsworth Counties as a unit in a legislative district based on the past close co-operation of the counties and the joint interests of the two counties.

Yours truly,



Vella Mae Jantz,  
City Clerk

MUNICIPAL WATER WORKS  
MUNICIPAL ELECTRIC LIGHTS

PRIVATE AIRPORT

CITY HALL

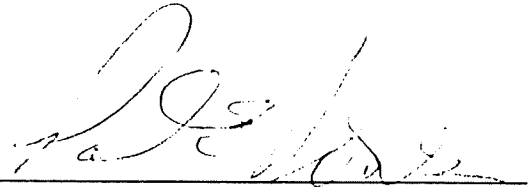
MUNICIPAL SEWER

RESOLUTION No. 248

Be it resolved that the City of Lyons, Rice County, Kansas, hereby records its support for a Reapportionment Plan that preserves the County as a unit, and supports inclusion of Rice County and Ellsworth County as a unit in a Legislative District based on the past close cooperation of the Counties and the joint interests of the two counties.

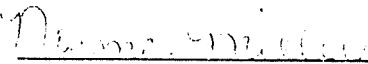
Passed by the Council this 20th day of March, 1989.

Signed and approved by the Mayor this 20th day of March, 1989.

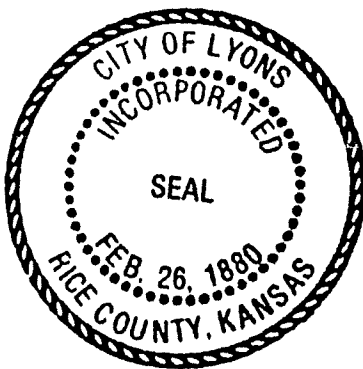


MAYOR

ATTEST:

  
CITY CLERK

SEAL



L. J. C. Apportionment  
3-24-89  
Attachment 7

# CITY OF LYONS

217 East Avenue South  
LYONS, KANSAS 67554  
(316) 257-2320

March 21, 1989

Honorable Vincent Snowbarger  
State Office Building  
Room 446-N  
Topeka, Ks. 66612

Dear Mr. Snowbarger:

I have enclosed a copy of Resolution Number 248 which was passed by the City of Lyons City Council at their regular meeting on the 20th day of March supporting a Reapportionment Plan which would keep the county as one unit and also supporting the inclusion of Rice County and Ellsworth County as a unit in a Legislative District.

We would appreciate your support in this matter.

Sincerely,  
*Norma Miller*  
Norma Miller  
City Clerk

enc;

cc: Honorable James D. Braden  
Honorable LeRoy Fry  
Honorable Keith Roe  
Honorable Marvin Barkis

File