

MINUTES OF THE HOUSE SELECT COMMITTEE ON REDISTRICTING.

The meeting was called to order by Chairperson Michael R. O'Neal at 12:15 p.m. on March 22, 2001 in Room 313-S of the Capitol.

All members were present except:

Representative Broderick Henderson, Excused
Representative Tom Klein, Excused
Representative Melvin Neufeld - Excused
Representative Rocky Nichols - Excused
Representative Jeff Peterson - Excused

Committee staff present:

Mary Galligan, Legislative Research Department
Cindy O'Neal, Committee Secretary

Representative Crow requested that a public hearing be held in Leavenworth on May 29th due to the fact that it might be an important city when determining congressional districts. The Chairman agreed and stated that he would talk to Senator Adkins to get his input on adding a public hearing site.

Mary Galligan provided the committee with a draft of the proposed technical rules (Attachment 1). She then proceed to explain the rules to the committee.

Ms. Galligan estimated that the committee would receive anywhere between 1-2 dozen maps from Chambers of Commerce and individuals. The rule would require any map to meet the technical guidelines that the committee adopts. In response to a question, she stated that members of the public or organizations could invest in software to draw the maps or use a simple spreadsheet or database program such as Access. The Legislative Research Department would provide assistance to the public, but only if there was not a legislative request pending. In 1990, members of the public who requested maps worked through their legislator.

Proposed technical portion of House Redistricting and Senate Reapportionment Committee rules
(these would be in addition to any other Committee rules)

- I. All redistricting plans submitted to any committee of the Legislature will be made part of the public record and made available in the same manner as other committee public records. Any plan submitted in any form to the Research Department from a non-legislator is a public record.
 - A. Minutes of all Committee meetings, including public hearings held outside Topeka, shall be taken and maintained as part of the public record in accordance with rules of the Senate [House].
- II. The Committee will hold public hearings at several locations throughout the state. Those hearings may be held in conjunction with the [other] Committee. The purpose of those hearings is to inform members of the public about redistricting and to obtain information regarding communities of interest for consideration during district plan development. The requirement below for submission of plans to the Research Department prior to presentation to the Committee does not apply to any hearings held prior to August 1, 2001.
- III. Notices of all Committee meetings and hearings will be published and posted in a manner consistent with House [Senate] rules and the purpose for which the meeting is planned.
- IV. **Submission of plans prepared outside the Legislature.** All plans prepared outside the Kansas Legislative Research Department or a caucus office must be submitted for technical verification to the Research Department prior to presentation to a Committee. Any plan submitted must be a complete statewide plan. All pieces of census geography must be accounted for in some district.

Except as noted above, any plan submitted in electronic form during the 2001 interim or the 2002 Session must be submitted to the Legislative Research Department, 300 SW 10th Street, Rm. 545 N, Statehouse, Topeka, KS 66612 no later than 5:00 PM at least five business days prior to formal submission to the Committee. The electronic submission of material for technical verification must be made in accordance with the following requirements:

- A. DOS formatted computer disk (floppy disk or CD ROM) shall be clearly labeled with name, telephone number, street address, and e-mail address (if available) of the submitting person or organization. The label shall be securely affixed to each disk and the information included on the outside label should also be included on a "reademe" ASCII text file on the disk.

- B. District plan data shall be a block equivalency file of comma delimited, fixed length ASCII text format. There must be a line feed and carriage return control after each record.
- C. This block equivalency file shall contain Block ID (15 digits) and District ID (3digits). Both block and district numbers should be zero filled. The following is a sample:

BlockID, DISTRICT

"20001950100101 ", "008"
"20001950100102 ", "008"
"20001950100103 ", "008"
"20001950100104 ", "008"
"20001950100105 ", "008"
"20001950100106 ", "008"

- D. Any plan submitted in electronic form must be accompanied by a statewide paper map depicting districts comprising the plan and a written list of geographic units comprising each district (using the standard Census Bureau unique identification for each unit). Hard copy maps must contain sufficient detail to permit accurate identification of locations of district boundaries. In addition, electronic submissions must be accompanied by a report that includes an enumeration of the total population of each district, the absolute and relative deviation from the ideal population of each district (expressed as a percentage), the overall deviation of the plan (computed from the largest and smallest districts), the number and percentage of persons of each of the five single race categories, of the number of persons of two or more races and of persons of Hispanic origin (all races) in each district and the number and percentage of voting age population for those same racial and ethnic groups.
- E. Plans or portions of plans that are not submitted electronically, must conform with the following requirements:
 - 1. Hard-copy plans must be submitted at least 10 business days prior to presentation to the Committee.
 - 2. All plans, including portions of plans previously submitted, must be on clearly depicted maps that follow U.S. Census geographic boundaries and accompanied by a statistical report listing the census geography in each

district. The statistical report must include a list of each unit of geography included in each district. The report must include enumeration of the total population of each district, the absolute and relative deviation from the ideal population of each district (expressed as a percentage), the overall deviation of the plan (computed from the largest and smallest districts), the number and percentage of persons of each of the five single race categories, of the number of persons of two or more races and of persons of Hispanic origin (all races) in each district and the number and percentage of voting age population for those same racial and ethnic groups.

- V. **Staff Review of Plans.** Any plan submitted to the Committee must be a complete statewide plan so that the proposal can be evaluated for technical compliance with Committee guidelines. All pieces of census geography must be accounted for in some district.
- A. Non-partisan staff review of any such plan will be to determine whether the plan complies with committee guidelines. The Research Department is not responsible for converting or translating electronic files that do not comply with the format and content requirements contained in these rules. The Research Department is not responsible for notifying the submitting individual or organization of errors or technical problems with a submission prior to notifying the committee of such matters. The Research Department is not responsible for providing technical support to persons or organizations that desire to prepare and submit a plan for consideration by the Committee.
- B. **Technical Requirements for Plans.**
1. All plans submitted to the Committee must be based on the same population figures and U.S. Census TIGER® 2000 for Redistricting geography used for redistricting by the Kansas Legislature. In accordance with Kansas law, congressional districts must be based upon the 2000 decennial census from the actual enumeration conducted by the United States Bureau of the Census. Kansas State House, Senate and Board of Education districts must be based upon the 2000 decennial census as recalculated by the Secretary of State in accordance with the *Kansas Constitution*. Recalculated population data prepared for legislative redistricting can be obtained from the Secretary of State.
 2. The entire state must be included in the plan.
 3. All districts must be composed of contiguous geography. For purposes of

determining contiguity, water bodies will be treated as if they were land.

4. Plans for the state Senate must contain 40 single-member districts. Plans for the House of Representatives must contain 125 single-member districts. Plans for the United States House of Representatives must contain 4 districts. Plans for the State Board of Education (SBOE) must be built on Senate Districts enacted during the 2002 Session with four contiguous Senate districts comprising each SBOE district.
5. State Senate, House, or Board of Education districts must not exceed an overall range of deviation from the ideal district size of 10 percent (expressed as a percentage from the smallest to the largest district) unless accompanied by a detailed explanation of the proponents' understanding of the state's interest in a greater overall deviation.
6. Congressional districts must be as nearly equal in population as practicable. If plans contain districts that deviate from ideal population, the plan must be accompanied by a detailed explanation of the proponents' understanding of the state's interest that would be furthered by the deviation from ideal district size.

VI. ROLE OF THE KANSAS LEGISLATIVE RESEARCH DEPARTMENT

- A. KLRD staff will be available to all members of the Legislature requesting assistance. Census data and hard copy redistricting work maps will be available to all members of the Legislature upon request.
- B. Redistricting plans and other records related to the provision of staff services to individual members of the Legislature will not be subject to public disclosure. This confidentiality provision does not apply to records related to the provision of staff services to any committee or subcommittee when the record is identified in an open meeting or in an agenda of an open meeting or when the record is distributed to a majority of a quorum of a legislative committee or subcommittee. (K.S.A. 45-221(a)(22))
- C. Research Department staff will be available to respond to requests for information from the public as time is available. Research Department staff has as its primary responsibility responding to requests from legislators and committees of the Legislature.