

MINUTES

SPECIAL COMMITTEE ON REDISTRICTING

September 30, 2011

Kansas City and Leavenworth Public Hearings

Reardon Convention Center and
Kansas City, Kansas Community College-Leavenworth Center

Members Present

Senator Tim Owens, Co-chairperson
Senator Dwayne Umbarger, Co-Vice-chairperson
Senator Anthony Hensley, Co-Ranking Minority Member
Representative Paul Davis, Co-Ranking Minority Member
Senator David Haley
Senator Tom Holland (Leavenworth Only)
Senator Mike Petersen (Kansas City Only)
Representative Richard Carlson
Representative Bob Grant
Representative Peggy Mast
Representative Don Schroeder
Representative Scott Schwab
Representative Caryn Tyson
Representative Jim Ward

Staff Present

Corey Carnahan, Kansas Legislative Research Department
Reed Holwegner, Kansas Legislative Research Department
Mike Wales, Kansas Legislative Research Department
Jason Long, Office of the Revisor of Statutes
Theresa Kiernan, Senate Committee Assistant
Cindy O'Neal, House Committee Assistant

Conferees-Kansas City

Joe Reardon, Mayor, Unified Government of Wyandotte County
Mike Taylor, Unified Government of Wyandotte County
Tom Strickland
John Bradford, Leavenworth County Republican Party
Frank Beer, Manhattan Area Chamber of Commerce
Cindy Cash, Kansas City Kansas Area Chamber of Commerce
Senator Anthony Hensley
Jordan Capra, Blue Valley West Student Center for Advance Professional Studies
Mark Green, Johnson County
Steve Hitchcock, Douglas County

Linda Quinn, Wyandotte County
Lisa Carney, Wyandotte County

Conferees-Leavenworth

John Bradford, Leavenworth County Republican Party
Tyler Ficken, Junction City
Carolyn Gaston, Geary County, Retired
Barbara Craft, Junction City
Senator Anthony Hensley
Forrest and Jeanette Holderman, Lansing
Paul Conway, Leavenworth County
Thomas Cook, Leavenworth Waterworks Board
Mark Green, Johnson County
Katia Silva, Mission

Kansas City Public Hearing

Senator Tim Owens, presiding Co-chairperson, called the meeting to order and provided opening comments.

Joe Reardon, Mayor, Unified Government of Wyandotte County, welcomed Committee members and citizens to Wyandotte County. He expressed his appreciation toward the Committee for holding a meeting in Wyandotte County. He informed the Committee that Wyandotte County has stabilized its population over the past decade and does not see that it should lose any legislative seats, but instead would need to add additional representation within the next few years. He expressed concern regarding the proposed DC-Topeka map that Senator Hensley has discussed at previous public hearings.

Co-chairperson Owens recognized Senator Haley who expressed thanks to those in attendance at the meeting. Senator Haley stressed the need to focus on communities of interest rather than partisanship in the process.

Co-chairperson Owens gave an overview of the guidelines and criteria for the 2012 redistricting process. He stated meeting the population requirement is the critical factor in congressional redistricting. He emphasized that neither he nor the courts look favorably on the process of drawing districts by gerrymandering. He stressed it is very early in the process of redistricting and no decisions have been made on any map or plan. He urged the citizens of Kansas not to jump to any preconceived conclusions and stated the Legislature is striving to make this a transparent process.

He went on to explain the 2010 Census showed a majority of Kansas counties lost population, while only 28 counties actually gained population. The census also showed citizens moved from rural areas to more populated urban areas. Overall, the state grew by 164,700 citizens allowing the state to keep four congressional districts ([Attachment 1](#)). Co-chairperson Owens then reviewed the population numbers of importance in the redistricting process.

Corey Carnahan, Kansas Legislative Research Department, reviewed the process the Legislature will follow during redistricting. He stated the redistricting process of 2011-2012 could be the most transparent process, to date, by: holding 14 town hall meetings across the

state; allowing members of the public to draw maps; and the launching of a redistricting website where citizens can view proposed maps.

Mike Taylor, Unified Government of Wyandotte County, stated the drawing of district boundary lines is mostly about math, but also includes the challenges of keeping communities of interest together and ensuring that districts are as compact as possible. He asked the Committee to resist the temptation to gerrymander boundary lines for perceived partisan political advantages. He was concerned about the “rumored DC map” that would put Wyandotte County into the First Congressional District and wondered how one congressperson could represent such diverse communities. If this map actually surfaces, keep in mind the community of interest shared by Wyandotte and Johnson counties. He stated both counties are urban in nature, share common needs and interests, which affect major cities, and are parties to regional entities, which address issues of both counties. He stated the same congressperson should represent Wyandotte and Johnson counties ([Attachment 2](#)).

Tom Strickland, resident of Wyandotte County, stated his family has lived in Kansas since 1953. He expressed concern with any plan placing Wyandotte County in the same congressional district as most of western Kansas. While Wyandotte County citizens have a large amount of respect for Western Kansas, they simply do not have the same needs, wants or goals.

John Bradford, Chairperson, Leavenworth County Republican Party, provided the Committee with four options for senate districts affecting Wyandotte County. The option he described would create two senate districts in Wyandotte County. The existing Third Senate District would be shifted more into Douglas County and the existing Fifth Senate District would move more into Leavenworth County. Under the proposal, Leavenworth County would be contained in one Senate district. Options 1-4 show different ways of drawing maps to meet the above goals ([Attachment 3](#)).

Mr. Bradford stated the suggested options would:

- Alleviate population overages in the Third and Fifth Senate districts;
- Eliminate population shortage in the First Senate district;
- Support Wyandotte County proposals;
- Avoid shift of population south into Johnson County Senate districts;
- Preserve integrity of existing political subdivisions;
- Comply with all the Committee guidelines; and
- Result in districts that are easily identified by voters.

Mr. Bradford stated Leavenworth County is made up of 76,000 citizens. Voter registration is basically one-third Democrat, one-third Republican, and one-third unaffiliated.

Representative Peterson expressed concern with Mr. Bradford’s suggested Senate district maps and stated Mr. Bradford was simply trying to get Republicans elected. He pointed out that this is a classic case of gerrymandering.

Co-chairperson Owens reminded the Committee of the purpose of the meeting: to hear from conferees and allow them to give their opinions as to how they think districts boundaries should be drawn, not to debate them.

Mr. Bradford explained the reason he was suggesting the Senate districts be drawn as he proposed is because an additional Senate district probably would be added in Johnson County and, therefore, would have an impact on Wyandotte County. The suggested Senate district maps allow both counties to come together and make viable decisions.

Co-chairperson Owens reminded the Committee and citizens there have been no decisions made deciding Johnson County will receive an additional Senate seat.

Representative Davis asked if it would be a good idea to move Leavenworth County into the First Congressional District. Mr. Bradford stated it was not a good idea and he prefers to stay in the second district.

Frank Beer, Manhattan Area Chamber of Commerce, Chairperson, Public Affairs Committee, stated there is strong interest from their task force to remain in the Second Congressional District. The Task Force is comprised of members of the Chamber and a representative from each of the Republican and Democratic parties ([Attachment 4](#)).

Mr. Beer, on behalf of the Task Force, formally submitted two proposed congressional maps that meet their goals; both maps place Manhattan in the Second Congressional District.

- Map #1 - Provided continuity for military areas of the state ([Attachment 5](#)); and
- Map #2 - Recognizes the educational corridor between Kansas State University, Emporia State University, Washburn University, University of Kansas, and Pittsburg State University ([Attachment 6](#)).

Representative Ward asked Mr. Beer how many Regents' institutions are located within his proposal. Mr. Beer responded there were five Regents' institutions, as well as Benedictine and other institutions of higher education. This would enhance the community of interest of the district.

Cindy Cash, Kansas City Kansas Area Chamber of Commerce, urged the Committee to keep Wyandotte and Johnson counties in the same congressional district. In addition to being manufacturing centers, the counties are also health care, tourism, entertainment, and retail centers and soon will be a software center. These put the two counties in the category of "like communities" ([Attachment 7](#)).

Senator Anthony Hensley provided a PowerPoint presentation similar to the presentation provided at previous town hall meetings. He related the main factor considered when redistricting is to make sure the requirement of "one person, one vote" is met. He also gave a history lesson on the word "gerrymandering" and its origins. He felt every guideline was ignored during the last redistricting process. He was extremely concerned the First Congressional District will be drawn so it stretches across the state, from the western border to the eastern border and then down into Leavenworth and Wyandotte counties. Senator Hensley said he heard this type of map had been circulating in Washington, D.C., but he had not actually seen a map with this configuration. He believes this type of map may be designed to preserve the dominance of the Republican Party in Kansas. He stated this plan would be a disservice to both Wyandotte County and western Kansas. This plan also would be a disservice to southeast Kansas because it would extend the Second Congressional District to include the City of Salina and thereby dilute the voting strength of the southeast counties currently in the Second Congressional District. Senator Hensley noted the map used in the PowerPoint was drawn by

his Chief of Staff, Tim Graham, and was drawn on the basis of conversations with unnamed persons who Senator Hensley claimed had contacted him. He reminded the Committee that when redistricting, the Legislature must comply with the U.S. Supreme Court ruling in *Baker v. Carr*, relating to the “one person, one vote” requirement (See Attachment 8 of Wichita and Hutchinson Public Hearings).

Representative Tyson stated Mr. Beer’s plan mirrors the February Copper plan proposed during the 2001-2002 redistricting process. She asked Senator Hensley whether the two were similar. The Senator stated the map is another one splitting southeast Kansas and he would be opposed to the plan proposed by Mr. Beer just as he opposed the February Copper plan.

Jordan Capra, Blue Valley West Student Center for Advanced Professional Studies, requested the names of Senator Hensley’s sources of information for the “DC-Topeka Plan.” Senator Hensley responded he would not divulge the names of his sources. He stated he had a conversation with a member of the congressional delegation, and his sources are Republicans.

Mr. Capra continued questioning Senator Hensley as to whether his intentions are to create the map so he can advocate for another map. Senator Hensley stated the “DC-Topeka Plan” is a classic case of gerrymandering, and it is his intent to show the map at each meeting.

Representative Ward stated there were no maps actually under consideration by the Committee. He stated he feels there would be more public input if there were maps available to the public. He stated there has been no “official” map proposed by the Committee at this time, but there are maps drawn, and are being circulated privately. He said it is more than likely legislators will see maps for the first time when we are asked to vote on them.

Co-chairperson Owens explained the Legislature needs to hear from the public before the committees propose “official” maps. If the Committee started with a map, members of the public would be less likely to provide input, as they would feel as though a decision had already been made. Co-chairperson Owens stated, other than the “DC-Topeka Plan” shown in Senator Hensley’s PowerPoint presentations, today was the first day suggested maps have been presented and will be on the website.

Senator Haley expressed his excitement about this process stating ten years ago the Legislature did not have the software available that we have today.

Mr. Capra noted Senator Hensley had stated the guidelines were violated in the 2001-2002 process and asked if the guidelines would be followed in 2011-2012. Representative Davis responded the guidelines are simply guidelines and have no enforcement mechanism. He added the guidelines should be incorporated into statute.

Mark Green, Johnson County citizen, requested that no matter what map is being redrawn, the Committee consider the interests of people with disabilities. Individuals with disabilities want to ensure their voices are heard by elected officials. Further, citizens with disabilities consider themselves a community of interest and a minority-voting bloc. He asked that placing them in a rural area not dilute their voting strength.

Steve Hitchcock, Douglas County, grew up in the First Congressional District, and is not accustomed to being in an area where residents are moved to new districts during each round of redistricting. He stated smaller counties need to be recognized and their interests should be

considered. Consistency and long-term relationships are important for effective representation in Congress.

Representative Grant stated there is no way the Legislature will make everyone happy. He indicated all maps need to be carefully drawn in order to be upheld if challenged in court and on the two maps presented earlier today, his constituents will not like the splitting of southeast Kansas.

Linda Quinn, Wyandotte County, stated it is very important to attend the public hearings. She agreed with Ms. Cash's remarks, the presentation on gerrymandering provided a good explanation of the possible pitfalls of gerrymandering, and one person, one vote is important to the black community as they cannot afford to lose voting power by being included in a district with more rural interests.

Lisa Carney, Wyandotte County, hopes the Committee keeps in mind one person, one vote. She expressed opposition to a plan placing Wyandotte County in a congressional district with western Kansas.

Co-chairperson Owens extended his appreciation to members of the Legislature in the audience for their attendance at the meeting and also thanked the other members of the audience for their attendance and participation in the redistricting process. In addition, he stated it is important these meetings are held across the state, so the members of the committees are able to get input from people from all areas of the state.

Leavenworth Public Hearing

In addition to other opening comments and a presentation from staff, Co-chairperson Owens stated no decisions on maps have been made, individuals (legislators and other groups of interested parties) may have drawn maps on their own, but there are no maps that have been "agreed upon" by the committees. As a point of clarification, Co-chairperson Owens reminded the members of the audience redistricting is based on the total number of residents in the state not the number of voters in the state

John Bradford, Leavenworth County Republican Party Chairman, addressed the Committee with comments mirroring his remarks from the morning session. Senator Haley expressed concern with the plan suggested by Mr. Bradford, because of the affect on the legislative representation of the areas surrounding Leavenworth County.

Tyler Ficken, Junction City, spoke about a meeting with Junction City and Geary County residents and elected officials to discuss redistricting. The consensus was to maintain the current configuration of the districts (Attachment 8). The meeting attendees see having two representatives (House Districts 64 and 65) from this area as an advantage and there was little support for Junction City becoming its own House district, even though it has the necessary population.

In discussing Senate districts, Mr. Ficken highlighted that the 22nd Senate District includes both Manhattan and Junction City, but Manhattan now has enough population to become its own Senate district, while Geary County needs to be combined with surrounding counties. The conferees from Geary County recommended the following:

- Geary, Dickinson, Morris, and Marion counties; or
- Dickinson, Morris, Riley, and Geary counties.

Mr. Ficken finished his presentation by explaining that both Junction City and Geary County want to remain in the First Congressional District. He provided a proposed map that would do so ([Attachment 9](#)).

Carolyn Gaston, Geary County resident, expressed support for:

- Keeping House District 65 as currently drawn, but possibly expanding it to the northern and western edges of Geary County;
- Separate Senate districts for Junction City and Manhattan; and
- Junction City remaining in the First Congressional District ([Attachment 10](#)).

Barbara Craft, former State Representative, 65th House District, passed on wishes of the communities of Junction City and Geary County to the Committee. The 65th House District is 0.2 percent away from the ideal population and requested the boundaries remain the same. However, the 64th House District is 9,310 citizens over the ideal number. This overage could be addressed by deleting two townships in Wabaunsee County; the remaining population then would be within 5 percent of the ideal population for a House district ([Attachment 11](#)).

Ms. Craft concluded by stating the 22nd Senate District needs to be reduced by 18.8 percent to reach the ideal number. The suggested Map A in the handout includes the counties of Geary, Dickinson, and Morris and a large portion of Ft. Riley. This offers a number of advantages, while all three counties would be nearly whole. In response to a question posed by Co-chairperson Owens, Ms. Craft stated the citizens of Junction City believe Ft. Riley is more aligned with Junction City than with Manhattan.

Senator Anthony Hensley provided a PowerPoint presentation similar to the presentation provided at previous town hall meetings ([See Attachment 8 of Wichita and Hutchinson Public Hearings](#)).

Forrest Holderman, Lansing, stressed he does not support gerrymandering and asked the Committee to avoid it.

Paul Conway, Leavenworth County, stated gerrymandering seems to be unavoidable as long as politicians are drawing the lines. In every political system, each party does everything it can to gain the upper hand. He expressed support for appointment of nonpartisan redistricting commissions.

Jeanette Holderman questioned why computers could not be programmed to draw the lines in order to keep the process away from politicians. Representative Tyson responded people would program the computer systems, so if there were a program drawing districts, the motives of parties and political individuals would still be questioned. Co-chairperson Owens stated that whether it is an appointed or elected committee, there will always be some influence by politicians and there are always pros and cons to the different systems for drawing districts.

Under the current system, legislators serving on redistricting committees are held accountable by the electors in their home districts. He added that quality of electronic redistricting depends upon the quality of the programmer.

Thomas Cook, Leavenworth Waterworks Board, former candidate for the Second Congressional District, stated residents of Leavenworth County want to be represented by someone who lives within the county.

Mark Green, Johnson County, asked the Committee to consider the needs of people with disabilities. He stressed that voters with disabilities need to be able to access their representatives without having to travel extensively to meet with them.

Representative Carlson reiterated there are no “official” maps this Committee has proposed or endorsed. There were some proposed maps presented to the Committee by Geary County-Junction City and the Manhattan Chamber of Commerce, but the Committee has not taken those maps up for discussion and recommendation.

Katia Silva, Mission, Kansas, agrees with having a non-partisan commission and urged the Committee to keep communities as one and not split them.

Representative Davis expressed support for the appointment of a nonpartisan redistricting commission. The process should not be about elected officials choosing their voters; it should be about voters choosing their elected officials.

The next redistricting public hearings will be held in Dodge City and Garden City on October 19, and Colby and Hays on October 20, 2011.

Prepared by Cindy O'Neal and Theresa Kiernan
Edited by Corey Carnahan

Approved by the Committee on:

January 13, 2012

(Date)