

## Senate Concurrent Resolution No. 1605

By Committee on Ethics, Elections and Local Government

2-6

1 A PROPOSITION to amend section 1 of article 10 of the constitution of  
2 the state of Kansas; relating to reapportionment of senatorial and  
3 representative districts.  
4

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

9 Section 1. The following proposition to amend the constitution of  
10 the state of Kansas shall be submitted to the qualified electors of the state  
11 for their approval or rejection: Section 1 of article 10 of the constitution  
12 of the state of Kansas is hereby amended to read as follows:

13 **"§ 1. Reapportionment of senatorial and representative**  
14 **districts.** (a) ~~At its regular session in 1989, the legislature shall by~~  
15 ~~law reapportion the state representative districts, the state~~  
16 ~~senatorial districts or both the state representative and senatorial~~  
17 ~~districts upon the basis of the latest census of the inhabitants of the~~  
18 ~~state taken by authority of chapter 61 of the 1987 Session Laws of~~  
19 ~~Kansas. At its regular session in 1992, and at its regular session~~  
20 ~~every tenth year thereafter, the legislature shall by law reapportion~~  
21 ~~the state senatorial districts and representative districts on the basis~~  
22 ~~of the population of the state as established by the most recent~~  
23 ~~census of population taken and published by the United States~~  
24 ~~census bureau of the census. Senatorial and representative districts~~  
25 ~~shall be reapportioned upon the basis of the population of the state~~  
26 ~~adjusted: (1) To exclude nonresident military personnel stationed~~  
27 ~~within the state and nonresident students attending colleges and~~  
28 ~~universities within the state; and (2) to include military personnel~~  
29 ~~stationed within the state who are residents of the state and~~  
30 ~~students attending colleges and universities within the state who~~  
31 ~~are residents of the state in the district of their permanent~~  
32 ~~residence. Bills reapportioning legislative districts shall be~~  
33 ~~published in the Kansas register immediately upon final passage~~  
34 ~~and shall be effective for the next following election of legislators~~  
35 ~~and thereafter until again reapportioned.~~

36 (b) Within 15 days after the publication of an act

1 reapportioning the legislative districts within the time specified in  
2 (a), the attorney general shall petition the supreme court of the state  
3 to determine the validity thereof. The supreme court, within 30  
4 days from the filing of the petition, shall enter its judgment. Should  
5 the supreme court determine that the reapportionment statute is  
6 invalid, the legislature shall enact a statute of reapportionment  
7 conforming to the judgment of the supreme court within 15 days.

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

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

20 (e) A judgment of the supreme court of the state determining a  
21 reapportionment to be valid shall be final until the legislative  
22 districts are again reapportioned in accordance herewith."

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

25 "*Explanatory statement.* The purpose of this amendment is to  
26 eliminate the adjustment of census taken by the United  
27 States census bureau regarding nonresident military  
28 personnel and nonresident students when reapportioning the  
29 Kansas senate and house of representatives.

30 "A vote for this proposition would eliminate the adjustment of  
31 census taken by the United States census bureau regarding  
32 nonresident military personnel and nonresident students  
33 when reapportioning the Kansas senate and house of  
34 representatives.

35 "A vote against this proposition would continue in effect the  
36 requirement for the adjustment of census taken by the United  
37 States census bureau regarding nonresident military  
38 personnel and nonresident students when reapportioning the  
39 Kansas senate and house of representatives."

40 Sec. 3. This resolution, if approved by two-thirds of the members  
41 elected (or appointed) and qualified to the Senate, and two-thirds of the  
42 members elected (or appointed) and qualified to the House of  
43 Representatives shall be entered on the journals, together with the yeas

1 and nays. The secretary of state shall cause this resolution to be published  
2 as provided by law and shall cause the proposed amendment to be  
3 submitted to the electors of the state at the general election in November  
4 in the year 2019, unless a special election is called at a sooner date by  
5 concurrent resolution of the legislature, in which case it shall be  
6 submitted to the electors of the state at the special election.