

STATE AFFAIRS COMMITTEE  
February 1, 1966

The meeting was called to order by the Chairman, who stated that the Committee would work as long as possible before the House reconvened and then come back after adjournment to finish up. He then introduced Mr. VanCleave to discuss HCR 503.

Mr. VanCleave stated that the resolution provided for a bipartisan commission to reapportion the congressional districts and the House and Senate, every 10 years based on the Federal census. He states that this is patterned after the Missouri and Michigan provisions. He introduced Mrs. Dona Heller, representing the League of Women Voters, who spoke in support of the resolution. (see att.) Miss Jacquart inquired about enforcement measures and Mr. VanCleave stated there was a mandamus provision. Mr. Turner inquired how it was contemplated the Commission would be comprised, and Mr. VanCleave replied that the State Central Committee of each party would make recommendations.

Mr. Turner introduced Mr. Sargent to discuss HCR 505, and he explained that the resolution proposed a study of the so-called Private Club Law enacted during the last session of the legislature. He stated that it came late in the session; there were amendments; and that it isn't really well understood even by the ABC; that there is a lot of confusion on the part of the clubs themselves; that the violations haven't necessarily been a conscious violation of the law but rather a lack of understanding; that the distinction between A and B clubs is probably unfair. Mr. Doyen said that since the law had been in effect only a few months, he wondered what experience he was basing the allegation of inequality. Mr. Sargent stated that there had been many complaints in his part of the state. Mr. Doyen inquired if the biggest complaint was on liquor pools. Mr. Sargent replied that it was; that retail dealers must have a 10 year residence but that clubs' managers only five and that seems inequitable too. He stated that if the law isn't clarified, that the question of liquor by the drink is going to be a big deal next session. Mr. Taylor inquired if he thought that there would be a controlling effect against liquor by the drink, regardless of how the study came out, and Mr. Sargent stated that he thought so.

Rep. Howard appeared to discuss HCR 510 and 511, stating that both deal with constitutional amendments dealing with apportionment; and sessions of the legislature.

Mr. Turner discussed HCR 504, dealing with legislative sessions and explained several reasons why he felt the sessions should all be able to deal with all legislative matters. He particularly pointed out that where federal funds were available, enabling legislation should be passed at the right time instead of waiting a whole year. He states that he feels it is only practical to make this change; that we must be progressive. Mr. Brown stated that there is something similar in the Senate but that it has some appealing provisions.

Mr. Buchele complained that during the first three weeks or so of a session there is little work out on the floor, and he wondered if there was some way the work could be done before the session starts and with the two 60 day sessions, perhaps it could even be completed before the end of 60 days. Mr. Turner stated that he didn't know, but he felt the first year there would be greater pressure on the members.

The Chairman called a recess at this point and asked the members to come back after the House had adjourned.

The meeting reconvened at 5:00 and HCR 502 came up for action. Mr. Doyen moved that it be recommended favorably. Motion was seconded by Mr. Fribley and carried unanimously.

Mr. Doyen moved that HCR 503 be reported adversely. Motion was seconded by Mr. Turner and carried 7 to 5.

Mr. Marshall stated that he thought HCR 504 appeared to be less complicated than any of the other suggestions and moved that it be recommended favorably. Motion was seconded by Miss Jacquart. Mr. Doyen suggested that it is very difficult to get the budgets prepared by early in January, and perhaps one of the sessions could start in March. Mr. Mikesic pointed out that the proposal doesn't state whether it should be legislative or calendar days. Mr. Doyen stated that he felt there should be time to introduce bills and then give committees perhaps full days to work. Mr. Taylor inquired at this point if Mr. Marshall would withdraw his motion, and he was agreeable. Thereupon, Mr. Turner moved to amend HCR 504 by inserting "calendar" after "sixty" on page 1, line 20. Motion was seconded by Mr. Brown, and carried unanimously. Mr. Marshall then renewed his motion that the resolution be reported favorably, as amended. Motion was seconded by Mr. Ford, and carried by a 14 yes vote and none voting adversely.

HCR 505 came on for discussion and Mr. Doyen inquired if that is really what the Sedgwick delegation wants. Mr. Turner replied that they felt it would be a mistake to get into liquor by the drink and they felt this would prevent it. Mr. Bob Brown stated that he is in favor of it because of the discrimination between A & B clubs. Mr. Buchele moved favorable recommendation, which motion was seconded by Mr. Turner and ~~and~~ carried unanimously.

With regard to HCR 506, Mr. Turner moved to amend same to include the entire legislature. Motion was seconded by Miss Jacquart and carried unanimously. Thereupon Mr. Turner moved that same be adopted as amended. Motion was carried by Miss Jacquart and carried unanimously.

Mr. Woodworth moved that HCR 510 be reported favorably as a substitute for HCR 504. Motion was seconded by Mr. Ford but lost by a vote of 4 yes 7 no. Thereupon, Mr. Fribley moved that same be reported adversely. Motion was seconded by Mr. Doyen and carried 10 yes to 2 no.

Mr. Meckel moved that HCR 511 be reported adversely. Motion was seconded by Mr. Marshall and was carried by a vote of 6 yes and everyone else abstaining.

Mr. Woodworth moved that HCR 513 be reported adversely. Motion was seconded by Mr. Buchele and carried with a vote of 8 yes to 2 no.

Meeting was adjourned.

League of Women Voters of Kansas  
1321 Topeka Ave.  
Topeka, Kansas

STATEMENT TO THE HOUSE STATE AFFAIRS COMMITTEE  
IN SUPPORT OF REVISIONS TO THE APPORTIONMENT ARTICLE  
OF THE KANSAS CONSTITUTION

The League of Women Voters of Kansas urges the House State Affairs Committee to consider favorably an amendment to the apportionment article of the Kansas Constitution to ensure regular and equitable reapportionment of the Kansas Legislature. We are convinced that this can be best achieved by vesting responsibility in an apportionment commission, such as is proposed in HCR 503.

In affirming its belief in population as the fairest basis of apportionment ~~of~~ <sup>for</sup> both houses of the Kansas Legislature, the League realizes that there must be a concerted effort on the part of both citizens and legislators to find answers for the problems which arise in applying this changed standard of apportionment. Some of these answers will necessarily require constitutional change. In the 106 years of the Kansas constitution, its apportionment provisions have never been adhered to. Any revision of the apportionment article should certainly attempt to correct the glaring, time-proved weaknesses of the present provisions, as well as to take into account changing conditions in the state.

The League is convinced that a major block to regular reapportionment would be removed by relieving the Legislature of the burden of initiating <sup>instead,</sup> and carrying out the task of reapportionment, and vesting this responsibility in a commission. No Legislature has ever found it easy to reapportion itself. Recognizing this fact, states in recent years increasingly are turning to the practice of using an agency outside the Legislature to reapportion and redistrict. This agency is most often an independent, non-partisan or bi-partisan commission, small enough to function efficiently, and able to give its undivided attention to the reapportionment task.

However, setting up a commission is not in itself an answer without provisions to ensure the fairness of the commission's composition, to enforce action by the commission, for breaking of possible deadlocks, and adequate safeguards such as citizen recourse to the Supreme Court of the state, either to compel the commission to act, or to review the action of the commission.

An additional provision which the League finds desirable is apportionment every ten years immediately following the announcement of Federal census figures, and based on those figures. We believe that with population as the basis of apportionment, it is especially urgent that the census figures used are the most <sup>U</sup> accurate ones available. Methods of collecting Federal census data and interpretation of <sup>Federal</sup> census criteria are uniformly applied, rather than being left to the discretion of the various counties and individual enumerators.

The present provision of the Kansas Constitution calling for reapportionment every five years is impracticable and has never been followed. It was adopted when the legislature met every year and members were elected for one-year terms. The present provisions for two-year terms for representatives and four-year terms for senators is inconsistent with the five-year interval of reapportionment. A more practical and realistic interval would seem to be every ten years immediately following the Federal census.

In conclusion, the League of Women Voters of Kansas wants to reiterate its conviction that the apportionment provisions of the Kansas Constitution should be revised to allow for vesting of responsibility in a commission, with enforcement provisions to ensure regular reapportionment every ten years immediately following the Federal census and based on Federal census figures. ~~We find that HCR 503 includes many of the features which we~~

~~find desirable, and we urge its favorable consideration!~~ THE LEAGUE OF WOMEN VOTERS WOULD SUPPORT A CONSTITUTIONAL PROPOSAL WHICH INCLUDES THESE FEATURES AND HCR 503 DOES INCLUDE THEM.  
Thank you for the opportunity to make our views known to you.

## House Concurrent Resolution No. 504

By Messrs. Turner, Bell, Coldsnow, Foster, Dierdorff, Sargent, Meckel, Howard, Woodworth, Cochran, Tobias, Unruh of Gray, Slocombe and Rogers of Riley and Miss Jacquart

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A PROPOSITION to amend section 25 of article 2 of the constitution of the state of Kansas, relating to the legislature.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the House of Representatives and two-thirds of the members elected to the Senate concurring therein:*

1 SECTION 1. The following proposition to amend the constitution  
2 of the state of Kansas shall be submitted to the qualified electors of  
3 the state for their approval or rejection: Section 25 of article 2 of  
4 the constitution of the state of Kansas is amended to read as follows:

5 "SEC. 25. All sessions of the legislature shall be held at the  
6 state capital, and beginning with the ~~session of eighteen hun-~~  
7 ~~ded and seventy-seven, all regular sessions shall be held~~  
8 ~~once in two years~~ year 1967, regular sessions shall be held an-  
9 nually, commencing on the second Tuesday of January of each  
10 alternate year thereafter.

11 "Beginning with the year 1956, budget sessions of not  
12 to exceed thirty calendar days in duration shall be held,  
13 commencing on the second Tuesday in January, and each  
14 even-numbered year thereafter, at which the legislature  
15 shall consider only the governor's budget report, appro-  
16 priation bills for the succeeding fiscal year, revenue bills  
17 necessary therefor, and such bills, resolutions or motions  
18 as may be necessary to provide for the expenses and con-

1 ~~duct of the budget session.~~ *The duration of regular sessions*  
2 *held in even-numbered years shall not exceed sixty calendar days.*  
3 *Such sessions may be extended beyond sixty calendar days by an*  
4 *affirmative vote of two-thirds of the members elected to each*  
5 *house.*

6 *“Bills and concurrent resolutions under consideration by the*  
7 *legislature upon adjournment of a regular session held in an odd-*  
8 *numbered year may be considered at the next succeeding regular*  
9 *session held in an even-numbered year, as if there had been no*  
10 *such adjournment.”*

11 SEC. 2. This resolution, if concurred in by two-thirds of the  
12 members elected to the house of representatives and two-thirds of  
13 the members elected to the senate, shall be entered on the journals,  
14 together with the yeas and nays. The secretary of state shall cause  
15 the proposed amendment to be published and submitted to the  
16 electors of the state at the general election in the year 1966 as pro-  
17 vided by law. This resolution shall be published by the secretary  
18 of state in the Budget Session Laws of 1966, and shall be given a  
19 chapter number therein.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your committee on **State Affairs**

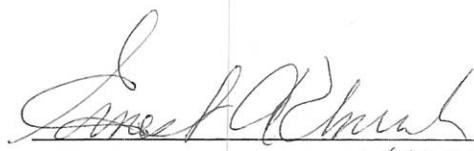
Recommends that **House Concurrent Resolution No. 504**

~~AN ACT~~ **A PROPOSITION to amend section 25 of article 2 of the constitution of the state of Kansas, relating to the legislature."**

**Be amended:**

**On page 2, line 18, by striking the word "Budget" and inserting in lieu thereof the word "Special";**

**And the resolution be adopted as amended.**

  
Chairman.  
VICE