

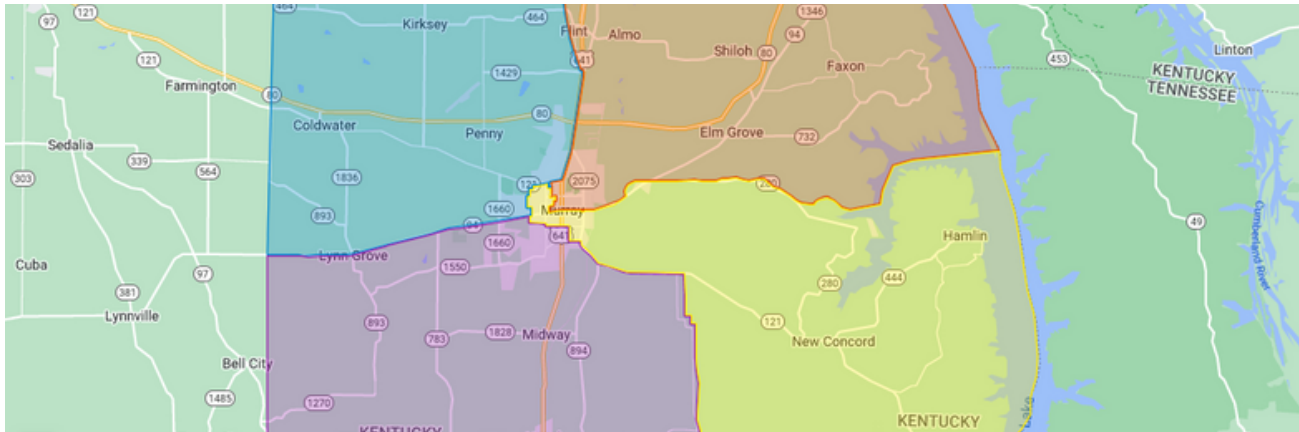
# Calloway

# Countian



May 5, 2023

Submitted by Magistrate Paul Rister



## REAPPORTIONMENT

**This year the Calloway County Fiscal Court will follow the provisions of KRS 67.045 regarding the reapportionment of the Magisterial District boundaries.**

Why and how is this done? I refer you to the Kentucky Revised Statute; KRS 67.045 - Reapportionment. But, to paraphrase in the words of Mr. Rich Ornstein, KACo Staff Attorney, "the law requires the district boundaries be compact and contiguous, and the population of each district shall be as nearly equal as possible." The KRS defines the process. The reapportionment process is supposed to take place every ten years following the year of the decennial census. However, Covid delayed that process from happening in 2021. In May of 2023, the Fiscal Court will appoint a three member "Reapportionment Commission." Those members must be "competent citizens of the county over twenty-one years of age and residing in different districts." The County Clerk also sits on this commission as a nonvoting member. The Commission will have 60 days from the date of appointment to reapportion the Magisterial boundaries. The Fiscal Court then has 60 days to pass or amend the Commission's report by ordinance.

The Commission will study the Census data, which is broken down into census blocks. A census block is the smallest geographical unit used by the Census Bureau to tabulate the data. In the 2020 census, Calloway was divided into 1,654 blocks. They will then overlay the current Magisterial District boundaries to make sure each district has a "nearly equal" population. This is a link to a map of the current District boundaries; [Magistrate District Map](#).

Some might ask, "what does nearly equal mean"? The U.S. Census Bureau indicates the April 1, 2020 population for Calloway County was 37,103. Given there are four Magisterial Districts in Calloway County, ideally each district should have 9,276 residents. The Kentucky Opinion of the Attorney General (OAG, 82-621) "is that a maximum 10 percent deviation between the smallest and largest district is acceptable".

This is the challenge of the Commission, to determine the population that now exists in each District, and the deviation between the district's population. It is possible that the populations have changed since the 2011 reapportionment (2010 Census), and there is a deviation greater than 10 percent. This will be reported to the Fiscal Court. Additionally, the Commission will work with the County Clerk to re-allocate census blocks from one district to another to balance out the populations within the districts. The County Clerk would then report back to the County Board of Elections on how such changes have affected election precinct boundaries.

The last part (section 8) of the KRS allows the citizens of Calloway some say if they disagree with the reapportionment plan. Mr. Ornstein says that "should a county registered voter believe the plan to be non-compliant, the registered voter can file suit in the Circuit Court to have the plan overturned." The KRS indicates this action must occur "within twenty days of the establishment of the districts by the Fiscal Court."

## Definition

What is "reapportionment"? The Merriam-Webster Dictionary says, "it's the process or result of making a new proportionate division or distribution of something." In this case that something is the Magisterial District boundaries.

## Nearly Equal

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